INDIAN RECORDER

OCTOBER—DECEMBER, 1932.

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PUBLISHED UNDER THE AUSPICES OF

INDIAN JOURNALISTS' ASSOCIATION,

CALCUTTA.

PRINTED AND PUBLISHED BY K. M. BANERJEE
AT THE INDUSTRY PRESS,
22, R. G. KAR ROAD, SHAMBAZAR, CALCUTTA.

Sole Distributors:

INDUSTRY BOOK DEPT.,
22, R. G. Kar Road, Shambazar, Calcutta.

APPRECIATIONS

It is a very useful and handy publication and it is calculated to be a valuable book of reference to publicists, members of legislature, businessmen and students of Economics. I wish success to the difficult task undertaken. The get-up is all that could be desired.—*P. C. Ray*, Science College, Calcutta University, 9-12-32.

A reference-book on India which was badly needed, since no existing work covers quite its ground, is the *Indian Recorder*. As the name implies, this work is designed to give a summary of the chief events in India. An effort has been made to keep the summary as objective and untendencious as possible, and, so far as one has had occasion to test it, the effort seems to have succeeded. A fairly full index helps rapid use. Designed by working journalists "in the light of their daily experience," a work which gives the gist of recent Indian affairs with as little as possible superfluous padding should be welcomed by others besides journalists.—*Manchester Guardian*, 29-12-32.

..........A reference book of this sort has been greatly needed, and the first issue, covering the period from April to June intends to be both thorough and impartial in their onerous task.—*Morning Post* (London) 17-11-32.

We have no doubt that if the present standard is maintained, the "Recorder" will be highly prized not only by the journalistic profession but by all who take interest in public business and public activities. Surely, there was an urgent need for a book of reference of this nature, and by removing it the Journalists' Association has justified its existence.—*Liberty*, (Calcutta), 14-12-32.

We congratulate the Association on this useful venture, so neatly carried out even in its details. Almost all those, who are responsible for this publication, are experienced journalists the stamp of whose hands is clearly perceptible on the presentation and arrangement of the contents. We are quite confident that the book will be found immensely helpful not only to the journalists but to everyone connected with public life in this country.—*Advance*, (Calcutta) 30-10-32.

"........is a digest of news, mostly Indian, carefully arranged and duly indexed so that the publicist, the legislator or the student of affairs may get what he wants easily. In the board of editors are some of the ablest journalists in Bengal to-day and their names are a guarantee that the subsequent issues will be of the same high level as the present one. We are sure the Indian Recorder will find a place on the table of every one interested in public affairs, as an extremely useful volume for purpose of reference.—*Hindusthan Times*, (Delhi) 13-11-32.

"........is intended to be a Reference Book helpful to publicists, members of the legislature, students, businessmen and others. The constitutional and communal issues have been presented with leading opinions on the subject; the proceedings of the Central and Provincial Legislatures and those of the Houses of Parliament in connection with India have been incorporated; the progress of the civil disobedience movement and the working of the Ordinances have been recorded; the reports of the various Committees published have been summarised; the notable law cases have been enumerated; the principal resolutions adopted in the various political conferences have been embodied; finally, a chapter has been added to deal briefly with news bearing on education, riots and crimes, terrorist movement, labour, foreign affairs, trade and industry, movements for social upliftment, proceedings under the Indian Press Act, Indianisation of the army, natural disasters, etc., etc. Multum in parvo !—*Hindu*, (Madras) 7-11-32.

The "Recorder" is a systematic and comprehensive account of all important events, touching every aspect of public life, political, administrative, social and economic etc. The arrangement of the matter leaves nothing to be desired. With the compass of the first thirty pages, Indian and world news has been neatly compressed and recorded chronologically serving the purpose of a useful reference guide. Then follow the more important summaries of the administrative and executive affairs. The third section deals with the Legislative work in the country, and an intelligent digest, of the Assembly and Council proceedings of the various Provincial Legislatures, is given, which will have not only its use for the busy legislators, but also to the layman to catch a bird's-eye view of the general legislative progress in the country quarterly. A brief resume of the Parliamentary debates, in so far as they relate to India, next follows. The "Recorder" does not miss to note the important cases adjudicated by the High Courts and the special tribunals of the land. There are other sections equally

relevant, and pertaining to the outstanding political events of the period. We need not add that councillors, public workers and journalists in the land stand to gain a good deal in possessing a copy of this volume as a reference guide for reviewing the general progress in the country. Besides, every educated man who wishes to follow the news of the country, with delight and devoted care, will find in this volume, a welcome friend, if not a substitute for the daily newspaper.—*Free Press Journal,* (Bombay), December 7, 1932.

The "Indian Recorder" is, in our opinion, an important event in the history of Indian journalism. The task of a recorder of events is a difficult one, specially so when he has to work with limited space at his command. He has to choose not only between the important and unimportant aspects. He has to be careful neither to underrate nor to overrate. Every event must receive precisely the emphasis it deserves. It will, therefore, be no wonder if there are some critics of the Recorder who would like to have a little more here or a little less there. But it must be admitted even by the critics that the recording has been on the whole fair, impartial and comprehensive. We wish the "Indian Recorder" a long and ever-increasingly useful life.—*Mussalman,* (Calcutta), 18-11-32.

In short, in the light of their experience as journalists who have constantly to look to sundry reference books for our daily work, the editors have tried to make the publication useful by including in it the maximum of valuable information within the limits of space available. It should be in the hands of journalists, publicists, members of the legislatures, men of business, students and the educated public. A good index has increased its usefulness.—*Modern Review,* Dec., 1932.

With the increasing interest of our people in contemporary events, the handling and delineation of the recent growth and development in Indian politics has been a favourite theme not merely of publicists, journalists but also of other writers, whether journalists or not, who contribute timorously and obscurely to the newspaper and periodical press. Besides, there are thousands of aspirants to-day in India eager to follow in the footsteps of journalists. It is therefore quite in the fitness of things that the Indian Journalists' Association has published this book, which is a most useful and comprehensive repertory of all the important Indian events and affords information not to be found in more pretentious and more expensive volumes. The wealth of the mass of informations, at once compact and comprehensive, can be gauzed from the fact that the volume under survey compresses within its scope a chronological diary of day-to-day Indian events of outstanding importance, Administrative and Executive Procedures, Legislative and Parliamentary proceedings, R. T. C. Committee Reports, Problem of Indian Federation, Communal question, Congress and Conferences, notable Law Cases as also all other important news of the period that it covers. In short, the volume has been very carefully and judiciously compiled and is fully abreast that it covers. In short, the volume has been very carefully and judiciously compiled and is fully abreast of all the up-to-date useful information on current public affairs till the end of June last. The Index is well-arranged and exhaustive making reference to the context both simple and easy. The compilers are all well-known journalists whose personnel is a guarantee for accuracy and indispensability of the reading matter chronicled in the volume. We doubt not year by year each volume of this publication of the Indian Journalists' Association will become a more absolute necessity to all those especially journalists and public men, whose work entails an exhaustive study of different phases of Indian economic and political life from time to time. The publication deserves extensive circulation throughout the country.—*Amrita Bazar Patrika,* (Calcutta), 13th Nov., 1932.

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INDIAN RECORDER

OCTOBER—DECEMBER, 1932.

CHRONOLOGICAL

OCTOBER 1, 1932.

Indian—The Bombay Council passes a motion urging that three sessions should normally be held every year. A conference of representatives of various communities was held in Nagpur to consider the possibility of a scheme of joint electorates with reservation of seats for the minority communities. Troops sent to reinforce the Bengal garrison move into their new stations during the past two or three days. At a meeting of the Scindia Steam Navigation Company coastal freight rate cutting is condemned.

Foreign—Announcement on new appointments to the posts rendered vacant by Liberal resignations from the British Cabinet. There are more than 11,000,000 unemployed in America. Paraguay and Bolivia each claim victory in a Gran Chaco engagement. Situation in South America continues to be chaotic. Baron von Neurath, Germany's Foreign Minister, gives an indication of Germany's attitude towards the disarmament problem to Sir John Simon and Mr. Arthur Henderson.

OCTOBER 3, 1932.

Indian—Assembly Members' Scheme to combat terrorism in Bengal. The Sayadaws of the Burma Peace Missions interview the Governor at Rangoon and plead for grant of clemency to the rebels. A review of the Punjab police administration report remarks that the appalling increase in the number of murders in the province is impossible to account for. The adjournment motion in regard to the restrictions placed on Mahatma Gandhi is talked out in the Bombay Council. A scheme to relieve unemployment in Bengal sanctioned by the local Government. The Delhi Journalists' Association protests against the renewal of the Press Act.

Foreign—The Lytton Commission's report on the Sino-Japanese dispute published. The 85th birthday of President Hindenburg celebrated in Berlin.

OCTOBER 4, 1932.

Indian—The Inspector General of Police administration report reviews revolutionary activities in Bihar and Orissa last year. The Deccan Sabha makes a series of proposals for retrenchment in public expenditure in the Bombay Presidency. The Government refutes the suggestions that the recent nominations to the Indian Military Academy have been affected by political considerations. In consequence of the recent outrages in Chittagong, Hindu "Bhadralok" youths are prohibited from leaving their houses between sunset and sunrise and from riding cycles, with effect from to-day. Bombay Council accepts a proposal aiming at preventing waste of water of certain canal systems. Indecent torture and assault allegations are made in the court of a Magistrate at Delhi by a woman named Shivdassi, sister of Maharani who committed suicide while in police custody. Pandit Govind

Malaviya is remanded for a week in police custody. The body of Abdul Sattar (at Delhi) alleged to have been shot dead by a Police Inspector is exhumed. Sir Tejbahadur Sapru cables to Mr. H. S. L. Polak, member of the Indian conciliation group, London—regretting sudden stopping of interview with Gandhiji. Mr. Jamnadas Mehta, President, Railwaymen's Federation is served with an Ordinance order not to help the promoters of Forest Satyagraha memorial. Motor Service is stopped at Suri (Birbhum) by curfew order. The first battalion of the Gurkha Rifles arrives at Bankura—a new contingent of Pathan soldiers arrive at Berhampore. Sj. Jnanendra Nath Ghosh of Palashi (Bankura) sentenced to one month's R. I. for refusing to pay fines for his son convicted in connection with C. D. movement. Mr. C. Rajagopalachariar and Babu Rajendra Prasad's joint appeal to the public for removal of untouchability. All-Kerala Depressed Class Conference express full confidence in Mahatmaji and Kelappan. Calcutta Port Trust Stores Purchase Policy is criticised by Bengal National Chamber.

Foreign—Mr. James McNeill, Governor of the Irish Free State recalled. Mr. Wedgwood Benn defends Labour Government policy in India at the annual meeting of the Labour Party. Iraq is formally admitted a member of the League of Nations.

OCTOBER 5, 1932.

Indian—Madras Liberal League passes resolutions urging the necessity of the release of Gandhiji. A group of Scottish missionaries have addressed a letter to the Scottish members of the Parliament condemning the repressive policy of the Government Mr. R. A. Grurye, a Congress worker, dies of Typhoid in Bijapur Jail. Sj. Subhas Bose suffering from several ailments in Madras penitentiary.

Foreign—A communique state that the question of land annuities should be made the subject of negotiation between England and Irish Governments. No agreement reached on the cotton spinners' wage question. President Hoover declared himself in favour of the application of the annual payment of War debts to securing the expansion of foreign markets for American agricultural products—considerable interest created by Britain's invitation to France, Germany, Italy and the United States to a Conference in London on the disarmament question.

OCTOBER 6, 1392.

Indian—Sarbajanin Durgotshab over many places in Bengal. Shaukat Ali confers with Pandit Malaviya on the communal settlement, postpones journey for America and wires to the Governor-General appealing for release of Mahatmaji. A detachment of Gurkha soldiers arrive at Comilla. Cotton trade dispute in Bombay market compromised between the Congress and the European merchants.

Foreign—Sir Samuel Hoare, at the Conservative Conference at Blackpool, appeals to "trust the Government" in regard to matters of Indian policy. Clashes between the police and thousands of unemployed at several places in England. Possibility of a big stoppage in the spinning section of the Lancashire Cotton Mills involving 20,000 operatives.

OCTOBER 7, 1932.

Indian—Maulana Shaukat Ali and Sheikh Abdul Majid President of the Khilafat Committee issued a joint statement about informal Moslem Conference at Lucknow to bring about Moslem solidarity, 300 amendments have been tabled to the Panchayat Bill in the Bombay Legislative Council.

Sir John Anderson goes to Gangtok, the Capital of the Sikkim State on a short visit.

Foreign—Possibilities of the London Five-Power Conference to be postponed. Difficulties regarding the food supply in the chief industrial centres of Russia have greatly increased. New marriage laws prohibiting the marriage of men under 20 and girls under 18—promulgated by the State of Manchukuo. The Irish Free State Cabinet elects delegates to the Land Annuities Conference in London. Lord Inchcape leaves handsome legacies to the prominent officials of the P. & O. Coy.

OCTOBER 8, 1932.

Indian—The Indian Railway Conference Association meets under the presidency of Mr. V. E. D. Jarrad at Simla. The objects and reasons of the North-West Frontier Province Public Tranquillity Bill published. Lady Wazir Hassan, President of the Lucknow Women's Association, ends series of lectures on the uplift of women. Prominent Moslems disapprove of Moslem Conference at present. Uproarious scenes witnessed at the annual session of the Non-Brahmin Confederation at Tanjore. Golden Jubilee of SWADESHIMITRAN held at Madras under the presidency of N. C. Kelkar.

Foreign—German note to London Five Power Conference. At Leicester the Labour Conference adopted a resolution for the abolition of House of Lords. Mr. J. H. Thomas hopes that the Anglo-Irish dispute is a temporary measure. Lancashire cotton spinners decide to give notice to their workers of a 15½ per cent. reduction in wages from October 17.

OCTOBER 9, 1932.

Indian—Pt. Madan Mohan Malaviya's appeal for unity and goodwill among different communities. Tanjore Non-Brahmin Conference ends in confusion and police clear hall. Viceroy's reply to M. Shaukat Ali. British-India Police posted in Tripura State to fight terrorism. Buses and taxis not to ply after 9 p.m. at Malda. National Journals Limited formed at Delhi. Trial by Jury introduced in the Hyderabad State.

OCTOBER 10, 1932.

Indian—Government review of Bombay Municipal administration. Shaukat Ali's second wire to Viceroy for Gandhiji's release. Sheikh Abdul Majeed, President of the Khilafat Committee issues an appeal. Gandhiji's reply to Shaukat Ali. Village Panchayat Bill referred to Select Committee in the Bombay Council. Rules published as to the admission of candidates for military and air force. Mr. Jayakar's warning against peace talks between Malaviya and Shaukat Ali. Pt. Malaviya welcomes Muslim leaders' move. Hindu Sava's note of warning to Malaviyaji. Autumn session of the N. W. F. Council opened—Tranquillity Bill referred to Select Committee. Statements for and against the Peace-talks and conferences. Sj. Subhas Bose taken to Bhawali Sanatorium. Madras journalists protest against Ordinance Bill. H. H. the Aga Khan's cables to call a Moslem Conference at Delhi to form a United Moslem Party.

Foreign—Resolutions of world-wide agitation programme passed at a secret Conference of the Comintern recently held at Moscow. 120 persons arrested in Northern Dalmatia following the discovery by the Jugoslav Police of an alleged large scale plot to arm the Croatian people preparatory to a revolution. Lytton Report accepted by China on the basis of discussion. Lancashire mine disaster—19 killed. M. Herriot meets the British Premier on the disarmament problem. Uproarious scenes, in which

fire was opened, at a party meeting in Ireland. Reorganization of the League Secretariet is impending with the retirement of Sir Eric Drummond, the Secretary-General. The British Treasury issue £150,000,000 Treasury Bonds at 2 per cent interest. Sir Stanley Jackson's speech at Leeds expressing doubts as to the desirability of the early introduction of full democratic system in India.

OCTOBER, 11, 1932.

Indian—The Working Committee of the All-India Nationalist Muslim Party meet at Lucknow on the 14th. Disquieting reports about the state of health of Basawan Singh and Kedarman Shukla, who have been on hunger strike for a long time in the Gaya Jail as a sequel to alleged ill treatment. Attempts to come to terms in the Cotton Market situation prove unsuccessful in Bombay—police arrest four brokers.

Foreign—New Polish duties to the British goods. The issue of New Treasury Bonds has effected rise in price of gilt-edged securities. Viscount Bying of Vimy promoted to Field-Marshall in succession to the late Viscount Plumer in England. Mr. Norman Davis who is on a special mission from the U. S. A. to London, is to hold a series of important conferences with British Government officials. Twenty prominent communists have been expelled from the Communist Party on the ground of counter-revolutionary group.

OCTOBER 12, 1932.

Indian—Reports of the India Delegation to the Ottawa Conference submitted to Government. Bombay Council passes a unanimous resolution that provincial autonomy without responsibility at the Centre is not acceptable to the people. A Christian manifesto demanding joint electorate and criticising separate electorate in the Communal Award published at Poona. Dr. Alam's health in grave condition in the Punjab jail. Bombay cotton market deadlock continues—no business transacted: Purshotamdas's house picketed. Malavyaji proposes an all-India tour. N. W. F. council passes a resolution on recruitment to the bench. One Kulandai Swamiyar, said to be about 245 years, died at Madura. N. W. Ry. Agent to be sued by the Railwaymen's Union. Case against Yashpal, an accused in the Delhi Conspiracy Case withdrawn. Bengal's women demand the release of Subhash Bose and Sen Gupta in a public meeting. All-India Anti-untouchability League formed. C. P. Police Administration Report published.

Foreign—The Minister of Labour intervenes in the Lancashire disputes. The latest British official figures give approximately 9,232,000 unemployed. Government plot to restore the monarchy in Germany is revealed by a German paper. Professor Einstein appointed head of a school of Mathematics in America. 3 persons killed and 25 injured at Belfast in rioting in which shots were exchanged between the Police and the unemployed. Night sky illumination for important events inaugurated in London. Drastic restrictions placed on the import of meat in England by the Ottawa Schedules.

OCTOBER 13, 1932.

Indian—Viceroy's telegram to Sir Sivaswamy Iyer in reply to latter's request for the immediate release of Mahatma Gandhi. Supplementary Ottawa Agreement regarding iron and steel. Legal Notice served on the N. W. Ry. Agent. Punjab Conspiracy case adjourned owing to the fainting fits of an accused. 8th. Dictator of Jamiat-ul-Ulema sentenced to six months' R. I. Two warders dismissed from Delhi District Jail owing to their

alleged sympathy with Congress prisoners. Dacca Hindus wait a deputation upon the District Magistrate to record their grievances against quartering soldiers near the temple—the Magistrate expresses inability to do anything at present. Bombay Council discusses the Award. Members of the India League Delegation pass a busy day at New Delhi. The Bombay Chamber of Commerce suggest Economy Proposals to Government. The Depressed class to capture vacancies in the Jubbulpore Municipality.

Foreign—M. Herriot arrives in London. At a Liberal mass meeting, Lord Lothian criticises the "die-hards" Indian policy. Herr Von Papen, the German Chancellor stresses the necessity of sweeping reforms of the German constitutions programme of reforms ready for presentation at the new Reichstag. U. S. Congress meets for a short season to discuss among other things, unemployment relief legislation, revision of the taxation laws and the repeal of the Prohibition Act. Dr. Raud Herron, prominent member of the Nanga Parbat Expedition, dies from a fall from the Great Pyramid at Egypt. Peace secured in Belfast under elaborate military arrangement.

OCTOBER 14, 1932.

Indian—Shaukat Ali and other leaders arrive at Lucknow. Women appeal for unity. Ry. authorities refuse site for workers' Conference. Krishna Narayan, alleged to be the "Dictator" of the Congress branch was acquitted though formerly sentenced to 2 years' R. I. "Preaching boycott is not an exclusive Congress work"—remarks by Justice Dalal of the Punjab High Court. Ambedkar and Cowasji Jehangir invited to the R. T. C. Non-official Bills in the Bombay Council. The "Indian Express" the new Nationalist English daily of Madras admitted to the Free Press of India Ltd. Dr. Alam's health worse. A communal fracas between the Jats and Mussalmans in the Punjab as a result of which 14 Moslems died and 11 injured. Karachi Municipality decides to present a civic address to Sir P. C. Roy.

Foreign—Britain helped to pay U. S. and French debts by India's gold export—an analysis in the MORNING POST. Some pioneer units of Indian army going to be disbanded soon. Pirates loot British steamers at China Coast. Mr. Churchill in an article in the DAILY MAIL condemns the coming R. T. C. Mr. De Valera arrives in England. Disarmament discussed by Premiers of England and France. France faces the problem of balancing the budget which shows a deficit of £ 134,000,000. League's Secretariat organized. Mr. O. Piron, Minister of Justice while addressing the annual congress of the Transvaal Agricultural Union—referred to the growing communist menace in South Africa.

OCTOBER 15, 1932.

Indian—Lucknow Conference postponed for informal discussions. Some arrests made in Kavoili State in connection with anti-untouchability work. Dr. Alam's health causing anxiety. Pt. Malaviya in Lahore to discuss with Hindu and Sikh leaders. Four persons remanded into custody in connection with Ellison murder case. Karachi-Madras Air-Mail Service opened. Bombs and revolvers found at Calcutta. Father of Hem Ranjan Lodh, a minor convicted congress volunteer of Chandpur, sentenced to two weeks' S. I.

Foreign—Yogoslavia charges Italy with planning a Croatian revolutionary plot, though the charge is officially denied. Anglo-Irish negotiations commence. A Bill to regulate religious orders in Spain has been submitted to Madrid Parliament. Anglo-French Prime Ministers consider Geneva as the venue of the disarmament conference—Germany disagrees about the site. The Liberal followers of Sir Samuel Hoare press

for Home Rule for Scotland. Belfast situation quiet. Mr. Fenner Brockway resigns from the India League. Turkey taken into the League Committee.

OCTOBER 16, 1932.

Indian—Agreement reached at Lucknow All-Parties Moslem Conference. A detachment of 50 Gurkhas reaches Rajshahi. Bhupen Ganguly dies of Pneumonia in the Hijli Jail. Rajshahi Arms Act trial opens—the accused include a girl.

Foreign—Clash between the Nazis and Socialist Democrats in Vienna results in two Nazis being shot dead and 10 persons wounded. Franco-German tension growing and the Germans consider the invitation to Geneva as humiliating. Herr Von Papen refers in a speech to the impossibility of releasing foreign money at present invested in Germany.

OCTOBER 17, 1932.

Indian—Four merchants of the Bombay Cotton market arrested under Ordinance. All parties Moslem Conference adjourned after the passage of some resolutions. Shikhs express dissatisfaction with communal Award. The new Burma Council that will decide the spearation issue will sit on the 5th. December. Three camel loads of arms and ammunition seized by the Frontier Police. Chittagong citizens take measures to fight terrorism. Mukundalal Sarcar who was arrested at Madras released on bail. Important changes in the Administration of the Kingdom of Nepal were announced by H. H. the Maharaja of Nepal on the occasion of his installation ceremony.

Foreign—The first contingents of hunger marchers arrive at London, Police break up a demonstration. Thousands homeless in America. Demonstration in the Hyde Park by the Indian Freedom League to protest against the repressive policy in India. British Government's policy regarding the Geneva Disarmament Conference restated by the Prime Minister in a lecture. Rumanian Cabinet resigns owing to a difference of opinion between the Premier and the Foreign Minister over the Russo-Rumanian Pact of non-aggression. Chinese bandits kill an American priest while attacking the Japanese soldiers in Mukden.

OCTOBER 18, 1932.

Indian—Bombay cotton market not yet open though a settlement between the European and Indian cotton brokers has been reached. Chittagong wears a deserted appearance as a result of the curfew order. 50 arrested in Balasore during the Pujas. All 15 arrested in connection with Charmuguria Dacoity case have been released but 5 of them are detained under Bengal Ordinance. The International Labour Organization at Geneva taking steps to call a world conference. Nearly 1000 immigrants from the colonies surround Calcutta Offices for food and shelter.

Foreign—Mr. J. H. Thomas announced in the House of Commons the abrogation of the Anglo-Russian Commercial Treaty. Shawki Bey, former Poet Laureate of Egypt, dies. The bankruptcy administrators of the Ivan Kreuger's property demand prosecution of his brother. Mr. Thomas makes a statement in the House of Commons on the breakdown of the Anglo-Irish negotiations. The first meeting of the Indian Irish independence League held at Dublin.

OCTOBER 19, 1932.

Indian—Cotton brokers Indian and European see the Police Commissioner in connection with the release of the detained brokers—cotton market

opened. Shaukat Ali sees the Viceroy. Indian Christians hold a conference at Poona on the question of representation in the Councils. Untouchability abolished in Bhor State on the Ruler's initiative. Government defeat in the N. W. F. Council on a resolution recommending remission of 50 per cent. inland revenue. Five Moslems to be invited to represent the community in the R. T. C. A cess of 50 cents on every 100 lbs. of tea exported from Ceylon to be imposed to provide funds for a publicity campaign. An Anglo-Indian planter prosecuted under Arms Act at Chittagong.

Foreign—Preparatory commission to examine the agenda of the International Economic Conference will be held on October 31. British Parliament reassembles. Mr. De Valera makes a statement in the Dail on the breakdown of the Anglo-Irish negotiations. Ottawa Pact expedited through the British Parliament. British Cabinet discuss the London-Riots situation. Anglo-Scandinavian negotiation on tariff begin.

OCTOBER 20, 1932.

Indian—Security of Rs. 10,000 forfeited from the FREE PRESS JOURNAL. Nearly five thousand villagers from Midnapore leave home to avoid punitive tax. Pandit Malaviya and Moulana Shaukat Ali meet at Delhi. All Parties conference to meet on October 30 at Allahabad. Normal situation restored at Bombay Cotton Exchange. Nearly 6000 cobblers of Calcutta under Chinese shoe makers go on strike on reduction of wages. Pension of Abbas Tyabji stopped by the Baroda State. The new England-India wireless expected to be in operation from New Year's Day. Annual Report of the Indian Mines Act published. The Nizam donates Rs. 25,000 to the Bhandarkar Oriental Research Institute.

Foreign—U. S. A. faced with a Budget deficit of about £ 320,000,000 stated by Roosevelt in a Presidential election speech. Mr. Charles Cockran and Mrs. Pawley who were held captive by Manchurian bandits for nearly six weeks, released. The House of Representatives in New Zealand have ratiled the Ottawa Agreements. Disturbances broke out in Portsmouth penitentiary which required troops to be called in.

OCTOBER 21, 1932.

Indian—The defamation case against the editor FREE PRESS postponed to January 27, 1933. The Annual Bombay Police Report published. Delhi students take up the question of communal unity. Mr. Hafiz Muhammad Yaqub Ansar, a worker of the Jamiat-ul-Ulema served with a notice to leave Delhi within 24 hours. Railway Rates Advisory Committee considering the representation of the Punjab millowners as regards railway rates. The sixth session of the C. P. Women's conference held at Nagpur. Inquest held in the Calcutta Coroner's Court over the dead bodies found near Behala following the attempted outrage upon Sir Alfred Watson. The EVENING NEWS of Bombay mentions parallel postal service in the presidency.

Foreign—House of Commons pass the Ottawa agreements. Rumours of a general election in Dublin. 18 months' hard labour for one of Kreuger & Toll directors, arrested shortly after the failure of the combine. Death at Milan, of Senator Giovanni Pirelli, the famous founder of the great rubber tyre and electrical cable factories. Miss Cornelia Sorabji in an address at the Sesame Club (London) criticises Indianization of services.

OCTOBER 22, 1932.

Indian—List of delegates to the Third Round Table Conference. The Unity Conference to be held at Allahabad on November 5. The Punjab

Government Bill to give the Executive more powers to handle the C. D. movement. Dr. Younan, the great Homoeopath of Calcutta dies. Sj. J. M. Sen Gupta brought to Calcutta for medical examination. Condition of the armoury raid prisoners in the Andamans published by the Free Press of India. Total value of gold exported up-to-date amounts to over Rs. 89 crores. M. S. M. Ry. Union decide to go on strike on retrenchment grievances: About 1000 prisoners in the Patna camp jail are on hunger strike.

Foreign—The World Economic Conference to be held in the House of Lords. French Cabinet approves of the Finance Minister's draft budget to rectify the adverse balance of nearly 8,000 million francs. Ex-King Alfonso may visit India to see his son. Russia resents Britain's Anglo-Russian policy.

OCTOBER 23, 1932.

Indian—Date of the Unity Conference changed to November 3 to suit M.L.A.'s. Hunger strike in Patna Jail camp given up. Sir P. C. Roy opens the Karachi Swadeshi Exhibition. Restraint order under Special Powers Ordinance served on Swadeshi Sabha Secretary at Hyderabad (Sind). Delhi Journalists' Assoociation protest against the demand of security from the Free Press.

Foreign—Parties of unemployed hunger marchers converging on London. Riot broke out at a jail in U. S. A.

OCTOBER 24, 1932.

Indian—A pleader thrown down from his cycle by a soldier at Midnapore. The employees of Perambur Railway workshops (M. S. M. Ry.) go on strike. Sir Purshotamdas Thakurdas's statement as regards the acceptance of Viceroy's invitation to the R. T. C. The Report of India Store Department, London, 1931-32 shows the drop in purchase of non-British countries. Some Sikh members resign from the Legislatures as a protest against the Communal Award. The Select Committee of the Assembly on the Ordinance Bill decide to fix the operation of the Bill for three years. Disbandment of pioneer units in the Indian Army sanctioned by the Secretary of State. Dhalghat (Chittagong) case judgment delivered—three released and five get four years' R. I.

Foreign—Sir Samuel Hoare states in the House of Commons that the India Government have not changed their policy of gradually abolishing the penal settlement at the Andamans and also certain interests like labour would be given full opportunity of participating in the Round Table Conference, the agenda of which will not be published. Police representation in London against the second cut of pay fail. Miss Cornelia Sorabji carries on a propaganda against Indian women.

OCTOBER 25, 1932.

Indian—Public tranquillity Bill passed in the N. W. F. Council. Bombay Chief Presidency Magistrate recommends to the Police not to hand-cuff Political Prisoners unless they are turbulent. The Magistrate of Monghyr issues a statement over the communal fracas there. Official version of the Patna camp jail strike. A Bengal detenue in the Mianwalli jail performs the Sradh ceremony of his mother inside the jail compound. Anglo-Indians decide to join the strikers of the M. S. M. Ry. workshop. Rai Bahadur Jadunath Mazumdar passes away.

Foreign—A 10 per cent. economy cut on £ 30,000,000 budget will be effected in Czechoslovakia Government. The first reading of the Ottawa Agreement Bill passed. Sir Walter Layton of the preparatory Committee

of the Economic Conference has resigned owing to a difference with the Government. In a speech in Vienna, M. Callilaux pleaded for the restoration of a silver currency.

OCTOBER 26, 1932.

Indian—Collective fine of Rs. 80,000 imposed upon the people of Chittagong. Maulana Shaukat Ali writes to the Viceroy urging the release of Mahatmaji. British missionaries in India want to be registered not as European voters but on the general list. Lahore Municipality decide to use Swadeshi goods to encourage Indian industry. Prof. Jayswal of Patna deciphers the writing on a piece of brick which establishes an Indo-Chinese inter-communication even before Fa Hien.

Foreign—Nervousness in the London Exchange Market due to the fall in sterling. Mr. Lansbury's censure motion on the Government defeated in the House of Commons. Japan's and France's plans for the Disarmament Conference meeting in Geneva next month. Signor Mussolini promises amnesty to political prisoners.

OCTOBER 27, 1932.

Indian—Preliminary unity talks at Allahabad among Moulanas Shaukat Ali, Abul Kalam Azad and Pandit Madan Mohun Malaviya. The official account of an outbreak of rioting at Bellary jail (Madras) on September 12, published this day. Viceroy's reply to Shaukat Ali expressing inability to release Gandhiji unless he dissociates from the C. D. movement. Clerks join the M. S. M. Ry. strikers. Rs. 20,000 security demanded from the FREE PRESS JOURNAL.

Foreign—The House of Commons passed the second reading of the Ottawa Agreements Bill. The report of the geologist on the Kakamega gold field (in Kenya) is favourable. "Failure of disarmament efforts will necessitate building up of the United States navy to the full treaty strength" emphasised President Hoover in a Navy Day statement. Oath Abolition Bill to become law after 18 months. Sir Atul Chatterjee unanimously elected President of the Council of the International Labour Office. Hunger-marchers in London clash with the police outside Hyde Park.

OCTOBER 28, 1932.

Indian—Dr. Moonjee issues a warning to Hindus against paying an exorbitantly disproportionate price for joint electorates. Sir Shah Mohammed Suleman, Chief Justice of the Allahabad High Court presides over the Capitation Tribunal. Rs. 50,00,000 surplus over the anticipated revenue realised from the sale of toddy shops at Madras. The N. W. F. Governor going home on four months' leave. Bengal Hindus confer with Pandit Madan Mohan Malaviya on the communal issue at Calcutta. A deputation, headed by Sir Walchand Hirachand waits on the Viceroy in the matter of coastal shipping. Sj. P. Dutt the Lahore Editor of the FREE PRESS fined for rupee one only. Christian Conference at Poona opened. Rs. 1,000 demanded from the editor and publisher of MATRIBHUMI a vernacular daily of Calicut.

Foreign—The Lancashire cotton industry considering new methods to improve Indian trade. The tenth anniversary of the Fascists march on Rome celebrated on the occasion of which Mussolini opens the Via dei Colli. Mr. F. Phillips replaces Sir Walter Layton who resigned from the preparatory Committee of the coming Wolrd Economic Conference. Bodies of some 100 Bolivian soldiers who died of thirst were discovered in the disputed region at Gran Chaco by Paraguyan troops. Czechoslovakia cele-

Boncour before the Disarmament Conference at Geneva. The transport strike in Berlin continues and two strikers have been killed in clashes with the police.

NOVEMBER 5, 1923.

Indian—The Unity Conference Committee fail to prepare any report. Mahatma Gandhi is permitted to carry on anti-untouchability propaganda from the jail—his first statement. Dewan Bahadur Muniswamy Naidu, the ex-chief Minister of Madras decides to form a new party under the title of Justice Democratic Party. The jailor, the deputy jailor and two warders of Nasik Road, Central Prison, Nasik have been suspended on the alleged ground of causing grievous hurt to a political prisoner.

NOVEMBER 6, 1932.

Indian—The select committee on the Ordinance Bill sign their report—seven including the four that walked out write a note of dissent. The Bihar provincial untouchability council sits at Patna.

NOVEMBER 7, 1932.

Indian—Assembly opened at New Delhi. Unity Conference Committee at Allahabad is holding its sittings without coming to a stage of final report. Fifteen members including the President of the Indian Merchants' Chamber, Bombay, tender their resignation as a protest against the censure motion on Sir Purshotamdas Thakurdas. In the Assembly, Ottawa Bill moved, some statements as to the terrorist crimes given, Sir Ali Imam's condolence motion carried, statement made as to the refusal of interview to Moulana Shaukat Ali with Gandhiji.

Foreign—In German election, the Nazis have lost and the German Nationals and Communists gained seats in the Reichstag. In order to mark the tenth anniversary of the Fascist march to Rome, a general amnesty which is expected to affect 60,000 prisoners, has been approved of by the Italian Cabinet. General resumption of work in Lancashire cotton mills. A British Treasury Order announces increased duties on Irish Free State as from Nov. 9. A young journalist is lynched by an angry mob at Hungary.

NOVEMBER 8, 1932

Indian—Sentence of death is passed at Dacca on Kalipada Mukherjee on a charge of murdering Mr. K. P. Sen, the Special Magistrate of Munshiganj (Dacca) who was shot dead in June last at Dacca. In the Unity Conference at Allahabad the Sikhs and Moslems come to a settlement—the Sind question remaining unsolved. The Chittagong Terrorist Suppression Committee ask Government to revoke the collective fine of Rs. 80,000.

Foreign—The House of Commons adopt without division a Labour motion expressing concern in the present volume of unemployment and welcoming remedial measures. Mr. Neville Chamberlain's arguments in favour of bimetallism. Mr. Franklin Roosevelt elected President of the U. S. A. Herr Von Papen in a public announcement declares that the German Government will be carried through unchanged.

NOVEMBER 9, 1932

Indian—The Unity Conference Committee issues a statement saying that the modified demands of the Sikhs and Moslems, commonly known as the Punjab formula, have been unanimously accepted. The report of the Indian Trade Commissioner at Hamburg for 1931-32 published. Mr. J. N.

Gupta formerly of the I.C.S. issues an appeal towards the formation of a new political party in Bengal. Charges of conspiracy to murder Sir Alfred Watson, Editor of the STATESMAN and harbouring offenders were framed against the six Bengali youths arrested in connection with the shooting outrage at Hastings. Many prominent members of the Calcutta Corporation protest at the recent speeches of Sir Charles Tegart in London. An enquiry as to the imposition of an import duty of one anna per maund on salt commenced at the Custom Office.

Foreign—In his speech at the Lord Mayor's Banquet, Mr. Baldwin approves of Government's policy on Indian affairs. A riot at Geneva ended in the death of 10 and injuries to 41 others. Stalin's wife dies.

NOVEMBER 10, 1932

Indian—The Report of the Bengal Retrenchment Committee, appointed last April, proposing a reduction of Rs. 1,84,96,000 published. The Government agree to a Committee of the Assembly on the Ottawa Agreement.

Foreign—The House of Commons pass the "Means Test" Resolution. One thousand persons are estimated to have been killed and many buildings demolished as a result of a hurricane at Cuba. An increased budget deficit of nearly 900,000,000 yen expected to result from the concession of an additional 95,000,000 to the Army and Navy.

NOVEMBER 11 1932

Indian—Armistice Day celebrated in Calcutta by ceremonial parades. The Assembly Committee on the Ottawa Agreement meets and the Bill which was not to have been published before introduction to the Assembly released for publication.

Foreign—Proposals for the reform of the House of Lords were made by an unofficial joint committee of Conservative Peers and Members of the House of Commons. The Nobel Literature and Chemistry Prizes have been awarded to Mr. Galsworthy and to Dr. Irving Langmuir (51) respectively—the Physics prize has not yet been awarded. Baton charge by the Dublin police on a disorderly procession consisting of the members of the Irish Republication Army.

NOVEMBER 12, 1932

Indian—A Special Tribunal at Dacca commences the trial of a Bengali youth accused of having attempted to murder Mr. Grassby, a police official at Dacca. The total value of a gold exported from Bombay since Great Britain went off the Gold Standard amounts to Rs. 93,17,20,322. The Assembly Special Committee on the Ottawa Agreement decides to issue Press Communiques daily. Three detenues while being transferred to Midnapore from Jalpaigury makes good their escape.

Foreign—According to a report, General Ghulam Nabi Khan Afghan ex-minister at Moscow has been executed at Kabul for reasons not known. Fresh riots break out at Geneva.

NOVEMBER 13, 1932

Foreign—The British and French Notes on the war debts which are almost similar have been submitted to the U. S. A. Government. The havoc created by the Cuban hurricane is immense—the town of Santa Cruz del Sur may never be rebuilt.

NOVEMBER 14, 1932

Indian—A Committee of the Unity Conference at Allahabad unanimously agree to the separation of Sind from Bombay, subject to certain conditions

and safeguards. Mr. Heig, Home Member moves the second reading of the Bengal Anti-Terrorist Supplementary Bill in the Assembly. Calcutta Corporation decides to present a civic address to Sir P. C. Roy on the occasion of his 70th birthday celebration.

Foreign—Sir Manubhai Mehta, Dewan Bahadur Krishnamachari and Mr. K. M. Pannikar to represent the standing Committee of the Chamber of Princes in London to watch the proceedings of the Round Table Conference.

NOVEMBER 15, 1932

Indian—The Home Member moves in the Assembly the considerations of the Criminal Law Amendment Bill as amended by the Select Committee. The Unity Conference Committee discuss the questions of Moslem representation in the Central Legislature and joint electorates. H. P. Bagaria, Vice President of the East India Jute Association, speaking at the annual meeting of the Association appeals to the Government to take measures to assist the jute industry.

Foreign—British representations are being made to Hungarian and Greek Governments to see to the relaxation of the Exchange restrictions affecting British trade. A considerable death roll is expected from typhoon, fire and landslide in Japan. The Ottawa Agreements Bill as passed by the Parliament has received the Royal assent. Mr. Cosgrave's censure motion has been defeated in the Dail.

NOVEMBER 16, 1932

Indian—Ordinance Bill (Criminal Law Amendment Bill) attacked in the Assembly by Mr. T. Rangachariar. Prof. C. N. Vakil, deputed by the Federation of India Chambers of Commerce, is examined by the Ottawa Committee at Delhi. The Unity Conference Committee is reported to have come to an agreement modifying the Mohammed Ali formula.

Foreign—M. Leon Trotsky refused permission to reside in many countries—at last seeks refuge in Denmark. The Governor of Spanish Guinea, General Sostoa, strangled in an island Colony.

NOVEMBER 17, 1932

Indian—Mr. T. H. Ellis, Special Judge at Alipore in delivering judgment in the Watson shooting case, releases three and sentences the other three to various terms of imprisonment including transportation for life for one. The Unity Conference Committee comes to an agreed solution after 17 days' continuous sitting. Anti-separationists returned by a majority in the Burma election—they refuse to take office. Mrs. Lajpat Rai, Smt. Radha Devi, dies on the death anniversary day of Lala Lajpat Rai.

Foreign—Mr. MacDonald welcomes the delegates to the third session of the R. T. C. Britain's air disarmament proposals outlined by Sir John Simon, Foreign Secretary, at the meeting of the Disarmament Bureau. The Von Papen Government resigns owing to lack of support.

NOVEMBER 18, 1932

Indian—A meeting of the Moslem League and Moslem Conference Committees is to be held in Delhi on the 20th to consider the agreements reached at Allahabad. Mr. C. A. W. Luke, Superintendent of the Rajshahi Central Jail is shot at and wounded. Benoy Bhusan Roy who was arrested in connection with Grassby shooting outrage at Dacca is transported for life by a Special Tribunal.

NOVEMBER 19, 1932

Indian—The Bombay High Court sets aside the conviction of Mr. Gulabchand Hirachand, who was sentenced to 18 months' imprisonment and a fine of Rs. 20,000.

Foreign—President Hindenberg discusses the political situation with Herr Hitler and other leaders.

NOVEMBER 20, 1932

Indian—The communal agreements arrived at the Unity Conference (Allahabad) rejected at a meeting of three Moslem organisations (in New Delhi). Rioting breaks out between two sections of the Romah Catholics at Mookakur in the Ramnad District (Madras) necessitating the police to open fire.

Foreign—Members of the Indian League Delegation arrive at London. Japan rejects Lytton report with regard to Manchuria.

NOVEMBER 21, 1932

Indian—The Assembly passes the second reading of the Ordinance Bill. The November session of the Bengal Council opens. Organized opposition to the movement for opening Guruvayur temple to the untouchables has been started in Malabar.

Foreign—The Third Round Table Conference resumes its sittings in London. The Lytton Report on Manchuria will not be considered by the League Council this day—pessimism prevails there with regard to the Sino-Japanese dispute. President Hindenberg agrees to Herr Hitler's claim for the Chancellorship provided the latter secures the necessary majority in the Reichstag.

NOVEMBER 22, 1932

Indian—Mohammedans are to be allotted four more seats on the Calcutta Corporation over and above the present strength but election is to take place on a joint electorate system. The Government of Bengal decide not to forward to the Government of India the representation of the Calcutta Corporation for a share in the proceeds of the new duty imposed on petrol consumed within the limits of Calcutta. Special session of the Bombay Council opens. The Hindu Legislators of the Assembly decide to form a Nationalist party to extend its operation throughout India and Burma. The Ordinance Bill is in progress in the Assembly.

Foreign—Mr. Ramsay Macdonald in the course of a debate in the House of Commons refers to a far-reaching scheme towards the solution of unemployment question.

NOVEMBER 23, 1932

Indian—The Bengal Public Safety Bill, 1932 is referred to a Select Committee in the Bengal Council. The Bengal Government have decided to appoint a Committee to inquire into the working of the Bengal Cruelty to Animals Act of 1920 in Calcutta. Charges have been framed under Arms Act against R. W. Hudson, a tea planter in Chittagong. The Assembly passes another clause of the Ordinance Bill. Chittagong municipality passes a resolution protesting against the collective fine.

Foreign—Discussion this day at the Round Table Conference is for the most part confined to the enfrachisement of women in India. Herr Hitler has decided to attempt the formation of a Cabinet. A big battle is reported to be raging in North Manchuria between Japanese troops and Chinese

volunteers. President Hoover has replied to the British and French notes on War-Debt Payments declaring himself opposed to the view of suspension of payments due to U. S. A. on the 15th December.

NOVEMBER 24, 1932

Indian—Attempts to retain the principle of separate electorate in the Calcutta Corporation fail in the Bengal Council. The Assembly progresses with the Ordinance Bill.

Foreign—The Round Table Conference favours special representation of Commerce, Labour and Landlords in the Federal Assembly.

NOVEMBER 25, 1932

Indian—The Bengal Council rejects the motion of the establishment of an Upper Chamber in the Province. The provincial administration report for 1930-31 is published. A hundred villages in Alwar State inhabited by Moslem farmers are reported to be conducting an intensive no-tax campaign. The Bengal Council passes a motion for adjournment over the question of the health of Messrs Subhas Bose and J. M. Sen Gupta. The Assembly Ottawa Committee begins the drafting of its report. Report of the Northern India Salt Revenue Department for 1931-32 has been published.

Foreign—A Committee is appointed in the Round Table Conference to examine the legislative relations between the Federal Centre and units. Britain is to prepare a note to the United States giving reasons for the suspension of debts. The Canadian commons will debate a Liberal motion for a reciprocal trade pact with the United States.

NOVEMBER 26, 1932

Indian—The Bombay Government, in agreement with the Legislative Council, have agreed to limit the life of the Ordinance Bill to one year for the present. Sir Maneckji Dadabhoy appointed the President of the Council of State. About 2,000 conservancy carters of the Calcutta Corporation have been on strike as a protest against the extension of motor lorries for removing street refuse. Gandhiji expresses the view that entry into Guruvayur temple by Depressed Classes should be decided by a referendum.

Foreign—Round Table Conference delegates entertained by Their Majesties at a tea party. Attempts to form a Cabinet supported by the Reichstag fail. An Agreement for the supply of oil products to Canada signed by the Soviet Oil Exporting Trust.

NOVEMBER 27, 1932

Foreign—Mr. Daniel Buckley appointed Governor General of the Irish Free State in succession to Mr. James McNeill.

NOVEMBER 28, 1932

Indian—The report of the Ottawa Special Committee recommending the ratification of the Agreement for three years submitted to the Assembly: there is also a minority report that recommends the rejection of the Agreement. A man attempting to escape was shot dead and two others were captured when troops raided a house near Chittagong. The Local Self-Government Act considered in the Bengal Council. The discussion under the Ordinance Bill in the Assembly going on. The Indian Tariff Board submits its report on protection to the cotton Textile industry. Thousands of peasants are in a fighting spirit in Alwar State. Feni (Comilla) townsmen organize into five committees to fight terrorism.

Foreign—The Sino-Japanese dispute to be referred to a special meeting of the League Assembly. A series of questions relating to the political situation in India asked in the House of Commons. The Round Table Conference discussed for the most part Federal Government's powers *vis-a-vis* the provinces. Mr. De Valera has warned Free State citizens to restrict their Christmas trade within Ireland. Either General Von Schleicher or Herr Von Papen will become Chancellor of a Cabinet responsible to the President and not to the Reichstag.

NOVEMBER 29, 1932

Indian—The Bengal Legislative Council is progressing with the Local Self-Government Act. The Ordinance Bill before the Assembly. H. E. the Commander-in-Chief's statement on the absorption of the officers of the Pioneer Units that have been disbanded, also on that no other suitable site is available for the encampment of soldiers at Dacca than the present one near Dhakeshwari Temple. Gandhiji in his ninth statement refers to the conditions of his postponement of fast which he contemplates to undertake from January 2, 1933.

Foreign—The French Government is going to submit the question of American debt payment to the Chamber before reaching a decision. The British Government are preparing a Note of reply to be despatched soon to the U. S. A. Government. Eight hundred demonstrators have started on a "hunger march" to Washington. The Round Table Conference discusses the special powers and responsibilities of the Governor-General and Governors, Federation, responsibilities and safeguards.

NOVEMBER 30, 1932

Indian—In the Bengal Legislative Council the Local Self-Government (Amendment) Bill passed into law, the Bengal Public Security Bill as emerged from the Select Committee introduced into the Council. The clause that deals with picketing in the Ordinance Bill passed in the Assembly. Sir John Anderson's first political speech at St. Andrew's Day Dinner in Calcutta. Several questions dealt with in the Assembly in regard to the future of Burma. Mr. H. Carey Morgan, Chairman of the Calcutta Branch of the European Association, speaking at a Branch tiffin held in the Great Eastern Hotel asserted that Europeans in Bengal were now united in opposing reforms for Bengal until there was more respect for law and order. Sikhs in a meeting at Calcutta demand adequate representation in the local legislature.

DECEMBER 1, 1932

Indian—The OrdinanceBill in the Assembly. The Home Member makes a statement in the Assembly about the disturbance in Deoli detention Camp. The editor and the printer of the AMRITA BAZAR PATRIKA fined Rs. 500 each for contempt of Court. Subsidence of an area of the Jharia coal mine and the underground fire cause serious damages.

Foreign—General Von Schleicher accepts the invitation of President Hindenburgh to form the German Cabinet. The Second Note of Britain on the payment of war debts released for publication. The authority of the Viceroy for promulgation of Ordinances discussed at the Round Table Conference.

DECEMBER 2, 1932

Indian—The Assembly passes clauses of the Ordinance Bill relating to a stricter control of the Press. Rabindranath in an appeal to the Zamorin

Raja of Calicut urges removal of all barriers in connection with the opening of the Guruvyur temple to the depressed classes. Rs. 2,51,30,560 worth of gold in a single consignment shipped to U. S. A. from Bombay.

Foreign—Lord Snowden and others criticise the Ottawa Agreement. Sir Samuel Hoare makes a statement at the Round Table Conference on the attitude of the Government on the question of special powers for the Governor-General and Governors.

DECEMBER 3, 1932

Indian—The discussion on the third reading of the Ordinance Bill not concluded when the Assembly adjourned to take up Ottawa Bill on the 5th. Bombay Council prorogued after the passage of the Special Powers Bill. The Maharaja of Alwar agrees to set up an inquiry to look into the grievances of the Meos. The Tariff Board begins an enquiry into silk industry.

Foreign—America suggests that the measure of agreement reached at the Geneva Disarmament Conference should be emboided in a convention. The newly formed German Cabinet holds its first meeting.

DECEMBER 4, 1932

Foreign—The French Note to America on War debts published. Troops kept in readiness in Washington against the arrival of the hunger marchers.

DECEMBER 5, 1932

Indian—The Ottawa Bill comprising the amendment of the report of the Ottawa Committee is discussed in the Assembly. The Bengal Council-passes the Bengal Criminal Law (Arms & Explosives) Bill, 1932,—refers the Calcutta Municipal (second Amendment) Bill, 1932 to Select Committee and grants Rs. 3,00,000 for extra police expenditure. One day's fast of Mahatmaji in sympathy with Appasaheb Patwardhan, a prisoner in Ratnagiri jail, who was not permitted to be satisfied with the lowest diet for the services of the untouchables. In a meeting of the Calcutta Corporation the Mayor makes a statement repudiating the charge of providing terrorists with employment as brought by Sir Charles Tegart in a recent speech at London.

Foreign—In the House of Commons, Capt. A. Eden, Under-Secretary for Foreign affairs states that prompt steps have been taken by the British Government in connection with Persian Government's cancellation of the Anglo-Persian Oil Company's concession. The United States House of Representatives fails to accord the requisite two thirds majority for the repeal of the prohibition. The question of the Indianisation of the Army is discussed in the R. T. C.

DECEMBER 6, 1932

Indian—The Assembly passes the Ottawa Bill. The Warren Hastings bicentenary memorial exhibition opened at the Victoria Memorial Hall, Calcutta. The annual investiture Darbar held at Government House, Calcutta.

Foreign—Sir Samuel Hoare makes a statement in the Round Table Conference on Indian defence costs. The bicentenary birth of Warren Hastings commemorated in London.

DECEMBER 7, 1932

Indian—The Ordinance Bill passed by the Assembly. The Bengal Legislative Council grants the demand of Rs. 2,10,000 on account of detenues and

the military at Chittagong. The appeal in the Court of the Sessions Judge of Chittagong, preferred by R. W. Hudson, a tea planter, who was sentenced under Arms Act to one year's rigorous imprisonment dismissed.

Foreign—President Hoover pays a great tribute to the British Banking system in a message at the opening of the last session of the Congress. The Round Table Conference appoints three Sub-Committees to deal with federal finance, Anglo-Indian education and financial safeguards. The U. S. Government replies to the second British War Debts Note. Belgium sends a new Note requesting an extension of the War debts moratorium.

DECEMBER 8, 1932

Indian—The Commander-in-Chief in the Council of State states that allegations against the troops at Dacca are under investigation. The Assembly Select Committee discusses the Ottawa Tariff Bill. Sir B. N. Sarma, Chairman of the Railway Rates Advisory Committee and former member of the Viceroy's Executive Council, dies at Vizagapatam.

Foreign—Nazis and Communists create a disturbance in the Reichstag. 3,000 Chinese troops driven from Manchuria. Japanese demand of withdrawl of Irish Free State, Spain, Czechoslovakia and Sweden resolutions condemning the Japanese action causes a sensation in the League Assembly.

DECEMBER 9, 1932

Indian—A deputation of the Bengal Members of the Central Legislation —wait on the Finance Member in connection with financial re-adjustment for Bengal. The Bengal Government states how citizens may get a refund of the collective fine imposed upon Chittagong.

Foreign—The United States reply to the British Note with regard to the War Debts Payment is opposed to suspension or cancellation. The British Government sends a Note to Persia intimating its intention to refer the cancellation of the Anglo-Persian Oil concession to The Hague Court, unless the cancellation is withdrawn by December 15.

DECEMBER 10, 1932.

Indian—Calcutta Corporation presents a civic address to Sir P. C. Roy. All parties Moslem Conference opens at Lucknow to consider the Allahabad Unity proposals. The commander-in Chief opens the Indian Military Academy at Dehra Dun. Mrs. M. E. Cousins, a co-worker of Dr. Annie Beasant is ordered to enter into a bond for Rs. 10,000 to be of good behaviour for one year or in default to undergo one year's simple imprisonment at Madras.

Foreign—The United States in a reply to the French Note on War debts, rejects the proposal of suspension of the next instalment. A committee of the League Assembly considers the question of inviting Russia and America to participate in the discussion of Sino-Japanese dispute over Manchuria.

DECEMBER 11, 1932

Indian—Profulla Jayanti observed by presenting addresses by several public institutions and bodies.

DECEMBER 12, 1932

Indian—The Council of State passes the second reading of the Ordinance Bill. Several Bills and the report of the Select Committee on the Ottawa Tariff Bill introduced in the Assembly and the consideration of the Bengal Terrorist Outrages Bill taken up. The Public Security Bill, 1932 discussed by the Bengal Legislative Council.

Foreign—Britain states in a Note to the United States of America that she is going to meet the War Debt obligation in gold. A draft formula on the German claim for equality in armaments reached at Geneva.

DECEMBER 13, 1932

Indian—The open session of the Unity Conference which was to meet this day postponed. The Burma Legislative Council passed, by a large majority, the no-confidence motion on the newly elected President Mr. U. Chit Hlain. The grievances of the Civil Disobedience prisoners at the central Jail of Jubbulpore having been removed the hunger-strike undertaken by the political prisoners abandoned after 24 hours. The hunger-strike commenced by three Lahore prisoners in the Rajahmundry jail lasts 38 days. A new party termed the "Centre Party" formed in the Assembly.

Foreign—French Cabinet divided on the question of negotiations about War Debts payment. Belgium and Poland refuse to pay the December Debt instalment. The Czechoslovak Minister announces that his country will pay but presses for revision.

DECEMBER 14, 1932

Indian—The Bengal Legislative Council proceeds with Public Security Bill. The open session of the Allahabad Unity Conference again postponed. Discussion on the Bengal Terrorist Outrages Bill continues in the Assembly. The Governor of Burma approves of the Council motion on the removal of the President. The Council of State passes the third reading of the Ordinance Bill. Government's attitude to the M. S. M. Ry. strikers is stated in the Assembly. Three Santhals killed and four wounded and one police constable killed in a clash between the Santhals and the police at Malda (Bengal).

Foreign—The French Cabinet resigns following a defeat in the Chamber on the proposal for War Debts payment. The Senate approves of the Bill passed by the House of Representatives April last giving independence to the Philippines within eight years. The Persian reply to the Anglo-Persian oil dispute contains some allegations against the working of the concern.

DECEMBER 15, 1932

Indian—All but the last chapter of the Bengal Public Security Bill disposed of in the Bengal Council. Bombay Government prohibits 14 Gandhi films from being exhibited in Bombay. In the Bengal Council it is stated that 4597 troops have been quartered in 7 Districts of Bengal. The open Session of the Unity Conference postponed for the third time. The Assembly adjourned *sine die* after the passage of the Ottawa Bill. Madras Government vetoes the City Corporation's grant of Rs. 5,000 to the M. S. M. Ry. Union for giving relief to the Ry. strikers.

Foreign—M. Herriot declines the President's request to form the French Cabinet. The Anglo-Persian dispute over oil referred to the League Council. Britain, Italy, Czechoslovakia, Finland, Latvia and Lithuania pay up their War Debts amounting to 125 million dollars, 25 million dollars remain outstanding owing to France, Belgium, Poland, Estonia and Hungary.

DECEMBER 16, 1932

Indian—The Bengal Public Security Bill, 1932 passed in the Bengal Council. Bengal Government replies to questions in the Council as to the explanation of the term "Depressed Classes." The inaugural meeting of the Unity Committee held at Allahabad. Sir Oscar Deglanville elected president of the Burma Council. The Council of State passes the Bengal Terror-

ist Outrages Supplementary Bill. Government's policy with regard to Calcutta Corporation announced in the Bengal Council.

DECEMBER 17, 1932

Indian—A deputation representing the Chittagong Terrorism Suppression Committee waits on the Governor of Bengal and pleads in vain for the remission of collective fine. Mercy petition addressed to the Viceroy praying for the commutation of death sentence of her son Prodyot Kumar Bhattacharya in connection with the murder of Douglas, Magistrate of Midnapore rejected. The Ottawa Bill discussed in the Council of State. Glowing tributes paid to the memory of Her Highness Maharani Sunity Debi of Cooch-Behar at a public meeting held at the residence of Keshab Chandra Sen in Calcutta.

Foreign—Britain submits a lengthy statement about the Anglo-Persian Oil dispute to the League.

DECEMBER 18, 1932

Indian—The Mysore Legislative Council commenced its second session. All-India anti-untouchability day observed all over the country.

Foreign—Progress made with the question of the future allocation of income tax as the result of informal talks among delegates of the Round Table Conference.

DECEMBER 19, 1932

Indian—The Council of State passes the Ottawa Tariff Bill and is adjourned *sine die*. M. S. M. Ry. strike continues. The Burma Legislative Council continues the general discussion on the separation question. The Home Secretary makes a statement in the Council of State on the condition of Sj. Subhas Bose's health. A statement on the proposed Burma constitution is made by the Burma Governor to a deputation which waited on him at Rangoon. Details of training Bengalee youths to the industrial line published. The Calcutta High Court confirms the death sentence passed by the Special Tribunal at Dacca on Kalipada Mukherjee, charged with the murder of Mr. K. P. Sen, Sub-Deputy Magistrate of Munshiganj on June last.

Foreign—Sir N. N. Sircar, in a letter to the MANCESTER GUARDIAN expresses the hope that the Congress will be represented in the future Legislature. America informs France and other debtor nations that the adminis tration is willing to continue the debts discussion, but is opposed to any general conference and cannot promise a revision. The Round Table Conference discusses the Fundamental rights and Constituent powers. A report of the International Labour Office estimates the present unemployed in the world to be at least 30,000,000.

DECEMBER 20, 1932

Indian—Calcutta Corporation arrives at a decision on gradation of pay for teachers of the Free Primary Schools. The questions of Services, Sind and Indian Christians' seats in the Punjab Legislative Council are discussed in the Unity Conference Committee. The case in which the jailor and other officials of Nasik jail stand charged with meeting out ill-treatment to the prisoners before Mr. T. E. Streatfield, Special First Class Magistrate, Bombay.

Foreign—M. Boncour formed a French Cabinet. The House of Commons passed the additional vote of £ 19,000,000 for unemployment relief.

Sir Samuel Hoare urges the princes to enter All-India Federation without making any undue delay.

DECEMBER 21, 1932

Indian—Efforts made to evolve a scheme of agreement on all disputed points to prevent breakdown of the Unity Conference at Allahabad. Three Indian scientists are to be sent to England to be trained in Lac Industry.

Foreign—The Free State Government will repay the balance due in respect of the £1,500,000 loan, floated in the United States in 1918 and 1920. A letter on behalf of the Chamber of Princes and signed by the representatives of Bhopal, Bikaner and Patiala and containing their demands, despatched to Lord Sankey. In view of some difference of opinion between the Senates' measure and that of the House of Representatives, the Philippine Independence Bill referred to a Committee.

DECEMBER 22, 1932

Indian—Sj. Devidas Gandhi says that Gandhiji's health is not fit for the coming fast from January 2 in connection with Guruvyur question. Sir Joseph Bhore, Commerce Member has a talk with the M. S. M. Ry. agent at Bangalore, the main topic being the strike. Calcutta High Court dismisses the application of the printer and the publisher of the daily NAYAK made against the Bengal Government's order of forfeiture of Rs. 200 for an article. Sir Charles Innes, Governor of Burma proceeds to England. Burma Council holds deliberation on separation or federation issue. Over 900 persons died of small pox during the last eight weeks in Lahore.

Foreign—The establishment of a Reserve Bank in India considered in the Round Table Conference.

DECEMBER 23, 1932

Indian—The open session of the Unity Conference commences at Allahabad. Burma Council accepts the anti-separationist resolution.

Foreign—A ministerial declaration read in French Parliament announces that the Government will negotiate with Washington with a view to a general war debts settlements. In view of Mr. Roosevelt's opposition, Mr. Hoover is very likely to abandon the project for a War Debt Commission.

DECEMBER 24, 1932

Indian—In the open session of the Allahabad Unity Conference, Pandit Madan Mohun Malaviya, as a president in the absence of Mr. Vijayaraghavachariar, announces that a general agreement on almost all the major points has been arrived at—the problem in regard to Bengal to be settled in Calcutta where a Sub-Committee meeting will be held on the 27th. Gandhiji has put the questions regarding Shastric injunctions on untouchability to the Shastris and Pundits who have gone to Poona to talk with him about untouchability. The Punjab Criminal Law Amendment Act set up in operation in Lahore. Fresh restraint order as to movement from 10 p.m. to 6 a.m. promulgated in Chittagong. The meeting of the Council of the All-India Moslem League, in its sitting at Delhi with Mr. Abdul Aziz, Barrister of Peshawar in the chair, passes the resolution that the Allahabad decision cannot be accepted by the Moslem community.

Foreign—The Round Table Conference concludes with a message from His Majesty the King and speeches by Sir Samuel Hoare and Lord Sankey. The Governments of both the countries of Paraguay and Bolivia have informed the Pope that there will be a Christmas truce between the two parties. The number of political prisoners still detained reduced to 337, as

a result of an amnesty declared on the occasion of the tenth anniversary of the Fascist March on Rome.

DECEMBER 25, 1932

Indian—That "Bengali" should be the one common language for both the Hindus and the Moslems is the dominating spirit given expression to in the Moslem Literary Conference in the Albert Institute Hall at Calcutta. Students present an address to Sir P. C. Roy at the Senate Hall in connection with Profulla Jayanti celebration. "64 per cent of the people of Calicut are in favour of opening the temple of Guruvyur to Harijans" is the conclusion of the Committee appointed to take a referendum of the locality.

DECEMBER 26, 1932

Indian—Some members of the Sub-Committee of the Allahabad Unity Conference arrive in Calcutta. Realisation period of Chittagong collective fine of which Rs. 30,000 out of Rs. 80,000 has been collected is extended to January 10. M. S. M. Ry. strike is called off as a result of strenuous efforts of the citizens' Committee.

DECEMBER 27, 1932

Indian—Mr. Kelappan of Guruvyur leaves Madras to see Gandhiji in the Yerwada jail. The conference of the Shastris with regard to temple entry ends without any compromise or definite conclusion—the reply given to Gandhiji's questions criticised by the Pro-entry Pundits. All-India Kayastha Conference held at Allahabad under the Presidency of Raja Sir Monmatha Nath Roy Choudhury of Santosh. French India makes a huge reduction of salaries of the Government Officers.

Foreign—South Africa goes off gold standard.

DECEMBER 28, 1932

Indian—The All-India Muslim Conference in its special session at Halliday Park in Calcutta passes a series of resolutions appreciating the speech of Sir Samuel Hoare with regard to the creation of the separate provinces of Sind and Orissa and recording the view that Allahabad proposals in their present form are unacceptable. Bengal Hindus at a Conference in Calcutta adopts a resolution to the effect that they are prepared to strive for constitutional advance on non-communal and national lines only. A fresh situation created in the M. S. M. Ry. strike prevents the strikers from going back to work. The ninth Annual Session of the All-India Medical Conference opens at Lucknow under the presidency of Major N. G. Naidu of Hyderabad. The seventh session of the All-India Women's Conference begins at Lucknow. Anxiety caused by the Zamorin of Calicut's decision not to open the Guruvyur temples to the Harijans. Sir T. B. Sapru and Mr. M. R. Jayakar have handed over to Sir Samuel a memorandum outlining a plan for expediting the India Federation.

Foreign—A fund for the relief of distress due to any disaster of exceptional magnitude started by the League of Nations.

DECEMBER 29, 1932

Indian—A meeting of the Muslims representing several bodies held at Albert Institute, (Calcutta) considers the resolution of Halliday Park meeting as *ultra vires*. Bengal Governor welcomes General Edward J. Higgins, the leader of the Salvation Army. A Conference of Sanatanists is held at Calcutta expressing resentment against temple entry. The Varnasram Swarajya Conference in its sitting at Guruvyur repudiate Poona Pact.

C. Rajagopalachariar announces after coming out of Yervada jail that Gandhiji has postponed fast indefinitely. Madras Ry. strike continues. The Agent in a communique explains that the strikers' refusal to resume work is due to misunderstanding of the terms of settlement.

DECEMBER 30, 1932

Indian—Gandhiji in a statement says that in view of the official announcement that the Viceroy's decision as to sanction for the introduction in the Madras Council of Dr. Subbaroyan's permissive bill with regard to temple entry will not possibly be reached before January 15, the fast is postponed indefinitely. All-India Institute of Hygiene and Public Health, Calcutta is formally opened by the provincial Governor. Bombay Government gives extraordinary powers to police officials to arrest suspected persons without any warrant. One Jung Singh fires at Captain R. L. Thompson and Mrs. Blake, wife of Captain Blake of sappers and Miners, Kirkee (Poona).

Foreign—The United States House of Representatives passes a Bill granting independence to the Philippines in ten years—the Bill having been passed by both the Houses waits for President's signature. A widespread terrorist plot to throw Spain into confusion is unearthed as a sequel to an explosion in a house in Barcelona.

DECEMBER 31, 1932

Indian—In his presidential address at the 19th Session of the All-India Indian Christian Conference held at Nagpur, Dr. Datta of Lahore states that Indian Christians are willing to abandon all earmarking for places of power and prestige and willing to work for an electoral roll open to all citizens. The Sub-Committee of the Allahabad Unity Conference adjourned to February 4. As a protest against the diet, one 'C' class prisoner in Madras penitentiary is on hungerstrike—fifty others have joined in a sympathetic fast.

Foreign—Strong rumour of the release of Gandhiji and other political leaders on the New Year's Day denied both at Whitehall and Delhi.

COMBATING CIVIL DISOBEDIENCE

THE CRIMINAL LAW AMENDMENT ACT, 1932

THE Ordinances promulgated to counteract the Civil Disobedience Movement were to expire by the end of December in many provinces. Accordingly the Central Legislature introduced a Bill comprised of many of the provisions of the Special Powers Ordinance, 1932 into a single Act named as above. The discussion on the Bill is given under the Legislative section. The text of the Act is as follows:—

Preamble

Whereas it is expedient to supplement the Criminal Law and to that end to amend the Indian Press (Emergency Powers) Act, 1931, and further to amend temporarily the Indian Criminal Law Amendment Act, 1908, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

Duration and Commencement of the Act

1. (1) This Act may be called the Criminal Law Amendment Act, 1932.

(2) It shall remain in force for three years from its commencement.

(3) The whole of the Act except section 4 and section 7 shall come into force at once, and the Local Government may, by notification in the local official Gazette, direct that section 4 or section 7 shall come into force in any area on such date as may be specified in the notification.

Dissuation from Enlistment Penalised

2. Whoever wilfully dissuades or attempts to dissuade the public or any person from entering the Military, Naval, Air or Police service of His Majesty shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

Exception 1.—This provision does not extend to comments on or criticisms of the policy of Government in connection with the Military, Naval, Air or Police service made in good faith and without any intention to dissuade from enlistment.

Exception 2.—This provision does not extend to the case in which advice is given in good faith for the benefit of the individual to whom it is given or for the benefit of any member of his family or of any of his dependants.

Tampering with Public Servants

3. Whoever induces or attempts to induce any public servant to fail in the duty as such servants shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

Explanation.—For the purposes of this section, a public servant denotes a public servant as defined in section 21 of the Indian Penal Code, a servant of a local authority or railway administration, a village Choukidar, and an employee of a public utility service as defined in section 2 of the Trade Disputes Act, 1929.

Boycotting A Public Servant Illegal

4. (1) Whoever, with intent to harass any public servant in the discharge of his duties, or to cause him to terminate his services or fail in his duty, refuses to deal with or to let on reasonable rent a house usually let for hire or land not being cultivated land to, or to render any customary service to such public servant or any member of his family on the terms on which such things would be done in the ordinary course, or withholds from such person or his family such medical services as he would ordinarily render, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

Explanation.—For the purposes of this section "public servant" has the same meaning as in section 3.

(2) No Court shall take cognizance of an offence punishable under this section unless upon complaint made by order of or under authority from the Local Government or some officer empowered by the Local Government in this behalf.

Dissemination of Contents of Proscribed Documents An Offence

5. (1) Whoever publishes, circulates or repeats in public any passage from a newspaper, book or other document copies whereof have been declared to be forfeited to His Majesty under any law for the time being in force, shall be punished with imprisonment for a term which may extend to six months, or with fine, or with both.

(2) No Court shall take cognizance of an offence punishable under this section unless the Local Government has certified that the passage published, circulated or repeated contains, in the opinion of the Local Government, seditious or other matter of the nature referred to in sub section (1) of section 99A of the Code of Criminal Procedure, 1898, or sub-section (1) of section 4 of the Indian Press (Emergency Powers) Act, 1931.

False Rumour with Intention to Cause Fear or Alarm

6. (1) Whoever makes, publishes or circulates any statement, rumour or report which is false and which he has no reasonable ground to believe to be true, with intent to cause or which is likely to cause fear or alarm to the public or to any section of the public or hatred or contempt towards any class of public servants or any class of His Majesty's subjects shall be punished with imprisonment which may extend to one year, or with fine, or with both.

Explanation.—For the purposes of this section public servant means a public servant as defined in section 21 of the Indian Penal Code.

(2) So long as this section remains in force, clause (b) of section 505 of the Indian Penal Code shall be inoperative.

Molesting A Person

7. (1) Whoever—(a) with intent to cause any person to abstain from doing or to do any act which such person has a right to do or to abstain from doing, obstructs or uses violence to or intimidates such person or any member of his family or person in his employ, or loiters at or near a place where such person or member or employed person resides or works or carries on business or happens to be, or persistently follows him from place to place, or interferes with any property owned or used by him or deprives him of or hinders him in the use thereof, or (b) loiters or does any similar act at or near the place where a person carries on business, in such a way and with intent that any person may thereby be deterred from entering or approaching or dealing at such place, shall be punished with imprisonment

for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Explanation.—Encouragement of indigenous industries or advocacy of temperance, without the commission of any of the acts prohibited by this section is not an offence under this section.

(2) No Court shall take cognizance of an offence punishable under this section except upon a report in writing of facts which constituted such offence made by a police officer not below the rank of officer in charge of a police station.

Parents to be Punished for Offience of Sons

8. (1) Where any young person under the age of sixteen years is convicted by any Court of an offence which, in the opinion of the Court, has been committed in furtherance of a movement prejudicial to the public safety or peace and such young person is sentenced to fine, the Court may order that the fine shall be paid by the parent or guardian of such young person as if it had been a fine imposed upon the parent or guardian.

Explanation.—In this section the word "guardian" includes any person who, in the opinion of the Court, has for the time being the charge of or control over the offender.

(2) Before making an order under this section the Court shall give the parent or guardian an opportunity to appear and be heard, and no such order shall be made if the parent or guardian satisfies the Court that he has not conduced to the commission of the offence by neglecting to control the offender, or that the offence was not committed in furtherance of a movement prejudicial to the public safety or peace.

(3) Where a parent or guardian is ordered to pay a fine under this section, the amount may be recovered in accordance with the provisions of the Code of Criminal Procedure, 1898.

Procedure in Offences under the Act

9. Notwithstanding anything contained in the Code of Criminal Procedure, 1898,—(i) no Court inferior to that of a Presidency Magistrate or Magistrate of the first class shall try any offence under this Act; (ii) an offence punishable under section 2, 3, 5, 6, or 7 shall be cognizable by the police; (iii) an offence punishable under Section 4 shall be an offence in which a warrant shall ordinarily issue in the first instance; and (iv) an offence punishable under section 7 shall be non-bailable.

Power of Local Government

10. (1) The Local Government may by notification in the local official Gazette, declare that any offence punishable under section 186, 188, 189, 190, 228, 295A, 298, 505, 506 or 507 of the Indian Penal Code, when committed in any area specified in the notification shall, notwithstanding anything contained in the Code of Criminal Procedure, 1898, be cognizable and thereupon the Code of Criminal Procedure, 1898, shall, while such notification remains in force, be deemed to be amended accordingly.

(2) The Local Government may, in like manner and subject to the like conditions, and with the like effect, declare that an offence punishable under section 188 or section 506 of the Indian Penal Code shall be non-bailable.

Amendment of Section 16, Act XIV of 1908

11. So long as this Act remains in force, section 16 of the Indian Criminal Law Amendment Act, 1908, shall be deemed to be re-numbered as sub-section (1) of section 16 and to that section as so re-numbered the following sub-section shall be deemed to be added, namely:—" (2) The Gov-

ernor-General-in-Council, if satisfied to the like effect, may, by notification in the Gazette of India, declare an association to be an unlawful association, and thereupon such association shall be, so long as the declaration remains in force, an unlawful association for the purposes of this Act throughout the whole of British India."

Amendment of Section 17, Act XIV of 1908

12. So long as this Act remains in force, to section 17 of the Indian Criminal Law Amendment Act, 1908, the following sub-section shall be deemed to be added, namely:—"(3) An offence under sub-section (1) shall be cognizable by the police, and notwithstanding anything contained in the Code of Criminal Procedure, 1898, shall be non-bailable."

Insertion of New Sections

13. So long as this Act remains in force, after section 17 of the Indian Criminal Law Amendment Act, 1908, the following sections shall be deemed to be inserted, namely:—

Government's Power to Notify and Take Possession of Places

"17A. (1) The Local Government may, by notification in the local official Gazette, notify any place which in its opinion is used for the purposes of an unlawful association.

Explanation.—For the purposes of this section 'place' includes a house or building, or part thereof or a tent or vessel.

(2) The District Magistrate or in a Presidency-town the Commissioner of Police, or any officer authorised in this behalf in writing by the District Magistrate or Commissioner of Police as the case may be, may thereupon take possession of the notified place and evict therefrom any person found therein, and shall forthwith make a report of the taking possession to the Local Government:

Provided that where such place contains any apartment occupied by women or children, reasonable time and facilities shall be afforded for their withdrawal with the least possible inconvenience.

(3) A notified place whereof possession is taken under sub-section (2) shall be deemed to remain in the possession of Government so long as the notification under sub-section (1) in respect thereof remains in force.

Possession of Movable Properties

"17B. (1) The District Magistrate, Commissioner of Police or officer taking possession of a notified place shall also take possession of all movable property found therein, and shall make a list thereof in the presence of two respectable witnesses.

(2) If, in the opinion of the District Magistrate, or in a Presidency town the Commissioner of Police, any articles specified in the list are or may be used for the purposes of the unlawful association, he may proceed subject to the provisions hereafter contained in this section to order such articles to be forfeited to His Majesty.

(3) All other articles specified in the list shall be delivered to the person whom he considers to be entitled to possession thereof, or, if no such person is found, shall be disposed of in such manner as the District Magistrate or Commissioner of Police as the case may be, may direct.

(4) The District Magistrate or Commissioner of Police shall publish as nearly as may be in the manner provided in section 87 of the Code of Criminal Procedure, 1898, for the publication of a proclamation, a notice specifying the articles which it is proposed to forfeit and calling upon any person claiming that an article is not liable to forfeiture to submit in writ-

ing within fifteen days any representation he desires to make against the forfeiture of the article.

(5) Where any such representation is accepted by the District Magistrate or Commissioner of Police, he shall deal with the article concerned in accordance with the provisions of sub-section (3).

(6) Where any such representation is rejected, the representation, with the decision thereon, shall be forwarded to the District Judge, in the case of a decision by a District Magistrate, or, to the Chief Judge of the Small Cause Court, in the case of a decision by the Commissioner of Police, and no order of forfeiture shall be made until the District Judge or Chief Judge of the Small Cause Court, as the case may be, has adjudicated upon the representation. Where the decision is not confirmed the articles shall be dealt with in accordance with the provisions of sub-section (3).

(7) In making an adjudication under sub-section (6) the procedure to be followed shall be the procedure laid down in the Code of Civil Procedure, 1908, for the investigation of claims so far as it can be made to apply, and the decision of the District Judge or Chief Judge of the Small Cause Court, as the case may be, shall be final.

(8) If the article seized is livestock or is of a perishable nature, the District Magistrate or Commissioner of Police, may, if he thinks it expedient, order the immediate sale thereof, and the proceeds of the sale shall be disposed of in the manner herein provided for the disposal of other articles.

Trespass upon Notified Places

" 17C. Any person who enters or remains upon a notified place without the permission of the District Magistrate, or of an officer authorised by him in this behalf, shall be deemed to commit criminal trespass.

The Relinquishment of Property

" 17D. Before a notification under sub-section (1) of Section 17A is cancelled, the Local Government shall give such general or special directions as it may deem requisite regulating the relinquishment by Government of possession of notified places.

Power to Forfeit Funds

" 17E. (1) Where the Local Government is satisfied, after such inquiry as it may think fit, that any monies, securities or credits are being used or are intended to be used for the purposes of an unlawful association, the Local Government may, by order in writing, declare such monies securities or credits to be forfeited to His Majesty.

(2) A copy of an order under sub-section (1) may be served on the person having custody of the monies, securities or credits, and on the service of such copy such person shall pay or deliver the monies, securities or credits to the order of the Local Government:

Provided that, in the case of monies or securities, a copy of the order may be endorsed for execution to such officer as the Local Government may select, and such officer shall have power to enter upon and search for such monies and securities in any premises where they may reasonably be suspected to be, and to seize the same.

(3) Before an order of forfeiture is made under sub-section (1) the Local Government shall give written notice to the person (if any) in whose custody the monies, securities or credits are found of its intention to forfeit, and any person aggrieved thereby may within fifteen days from the issue of such notice file an application to the District Judge in a District, or to the Chief Judge of the Small Cause Court in a Presidency-town, to estab-

lish that the monies, securities or credits or any of them are not liable to forfeiture, and if any such application is made, no order of forfeiture shall be passed in respect of the monies, securities or credits concerned until such application has been disposed of, and unless the District Judge or Chief Judge of the Small Cause Court has decided that the monies, securities or credits are liable to forfeiture.

(4) In disposing of an application under sub-section (3) the procedure to be followed shall be the procedure laid down in the Code of Civil Procedure, 1908, for the investigation of claims so far as it can be made to apply, and the decision of the District Judge or Chief Judge of the Small Cause Court, as the case may be, shall be final.

(5) Where the Local Government has reason to believe that any person has custody of any monies, securities or credits which are being used or are intended to be used for the purposes of an unlawful association, the Local Government may, by order in writing, prohibit such person from paying, delivering, transferring or otherwise dealing in any manner whatsoever with the written orders of the Local Government. A copy of such order shall be served upon the person to whom it is directed.

(6) The Local Government may endorse a copy of an order under sub-section (3) of investigation to any officer it may select, and such copy shall be warrant whereunder such officer may enter upon any premises of the person to whom the order is directed examine the books of such person, search for monies and securities, and make inquiries from such person, or any officer, agent or servant of such person, touching the origin of and dealings in any monies, securities or credits which the investigating officer may suspect are being used or are intended to be used for the purpose of an unlawful association.

(7) A copy of an order under this section may be served in the manner provided in the Code of Criminal Procedure, 1898, for the service of a summons, or, where the person to be served is a corporation, company, bank or other officer or persons concerned with the management thereof or by leaving it or sending it by post addressed to the Corporation, Company, Bank or Association at its registered office, or, where there is no registered office, at the place where it carries on business.

(8) Where an order of forfeiture is made under sub-section (1) in respect of any monies, securities or credits in respect of which a prohibitory order has been made under sub-section (3), such order of forfeiture shall have effect from the date of the prohibitory order, and the person to whom the prohibitory order was directed shall pay or deliver the whole of the monies, securities, or credits forefeited, to the order of the Local Government.

(9) Where any person liable under this section to pay or deliver any monies, securities, or credits to the order of the Local Government refuses or fails to comply with any direction of the Local Government in this behalf, the Local Government may recover from such person, as arrears of land revenue or as a fine, the amount of such monies or credits of the market value of such securities.

(10) In this section, 'security' includes a document whereby any person acknowledges that he is under a legal liability to pay money, or whereunder any person obtains a legal right to the payment of money; and the market value of any security means the value as fixed by any officer or person deputed by the Local Government in this behalf.

(11) Except so far as is necessary for the puurposes of any proceeding under this section, no information obtained in the course of any investiga-

tion made under sub-section (6) shall be divulged by any officer of Government, without the consent of the Local Government.

"17F. Every report of the taking possession of property and every declaration of forfeiture made, or purporting to be made under this Act, shall, as against all persons, be conclusive proof that the property specified therein has been taken possession of by Government or has been forfeited, as the case may be, and save as provided in sections 17B and 17E no proceeding purporting to be taken under Sections 17A, 17B, 17C, 17D or 17E shall be called in question by any Court, and no civil or criminal proceeding shall be instituted against any person for anything in good faith done or intended to be done under the said sections or against Government or any person acting on behalf of or by authority of Government for any loss or damage caused to or in respect of any property whereof possession has been taken by Government under this Act."

Measures for Control of Press

14. In the long title and in the preamble of the Indian Press (Emergency Powers) Act, 1931, for the words "against the puublication of matter inciting to or encouraging murder or violence" the words "for the better control of the Press" shall be substituted.

15. For sub-section (3) of section 1 of the Indian Press (Emergency Powers) Act, 1931, the following sub-section shall be substituted, namely:—

"(3) It shall remain in force until the expiration of the Criminal Law Amendment Act, 1932."

Amendment of Section 4, Act XXIII of 1931.

16 In sub-section (1) of section 4 of the Indian Press (Emergency Powers) Act, 1931,—(a) after clause (b) the following words and clauses shall be inserted namely:—"or which tend, directly or indirectly,—(c) to seduce any officer, soldier, sailor or airman in the military, naval or air forces of His Majesty or any police officer from his allegiance or his duty, or (d) to bring into hatred or contempt His Majesty or the Government established by law in British India or the administration of justice in British India or any class or section of His Majesty's subjects in British India, or to excite disaffection towards His Majesty or the said Government, or (e) to put any person in fear or to cause annoyance to him and thereby induce him to deliver to any person any property or valuable security or to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, or (f) to encourage or incite any person to interfere with the administration of the law or with the maintenance of law and order, or to commit any offence, or to refuse or defer payment of any land-revenue, tax, rate, cess or other due or amount payable to Government or to any local authority, or any rent of agricultural land or anything recoverable as arrears of or along with such rent, or (g) to induce a public servant or a servant of a local authority to do any act or to forbear or delay to do any act connected with the exercise of his public functions or to resign his office, or (h) to promote feelings of enmity or hatred between different classes of His Majesty's subjects, or (i) prejudice the recruiting of persons to serve in any of His Majesty's forces, or in any police force, or to prejudice the training, discipline or administration of any such force,"; (b) the Explanation shall be numbered as Explanation 1, and after the Explanation as so numbered the following Explanations shall be inserted, namely:—

"Explanation 2.—Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means without exciting or attempting to excite hatred, contempt or disaffection

shall not be deemed to be of the nature described in clause (d) of this sub-section.

Explanation 3.—Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection, shall not be deemed to be of the nature described in clause (d) of this sub-section.

Explanation 4.—Words pointing out, without malicious intention and with an honest view to their removal, matters which are producing or have a tendency to produce feelings of enmity or hatred between different classes of His Majesty's subjects shall not be deemed to be words of the nature described in clause (h) of this sub-section."

Cessation of Effect of Section 62, Ordinance X of 1932

17. On the commencement of this Act section 62 of the Special Powers Ordinance, 1932, shall cease to have effect.

Adoption & Continuance of Action Taken under Ordinance X of 1932

18. Anything done or any proceedings commenced in pursuance of the provisions of Chapter VI of the Special Powers Ordinance, 1932, shall, upon the commencement of this Act, be deemed to have been done or to have been commenced in pursuance of the corresponding provisions of the Indian Criminal Law Amendment Act, 1908, as amended by this Act, and shall have effect as if this Act was already in force when such thing was done or such proceedings were commenced.

Adoption & Continuance of Action Taken under Act XXIII of 1931 As Amended by Ordinance X of 1932

19. Anything done or any proceedings commenced in pursuance of the provisions of the Indian Press (Emergency Powers) Act, 1931, as amended by section 77 of the Special Powers Ordinance, 1932, shall upon the commencement of this Act, be deemed to have been done or to have been commenced in pursuance of the corresponding provisions of the Indian Press (Emergency Powers) Act, 1931, as amended by this Act, and shall have effect as if this Act was already in force when such thing was done or such proceedings were commenced.

Trial of, & Completion of Trials of, Offences Against Ordinance X of 1932

20. Any person accused of the commission of an offence punishable under Section 24, 25, 26, 28, 67 or 70, or by reason of the provisions of Chapter VI of the Special Powers Ordinance, 1932, may, notwithstanding the expiry of the said Ordinance, be tried and punished as if such offence were an offence punishable under or by reason of the corresponding enactment of this Act, and as if this Act had been in force at the time of such commission; and any trial of any such offence begun but not completed at the expiry of the Special Powers Ordinance, 1932, may be continued and completed as if it had been begun after the passing of this Act:

Provided that no trial of an offence punishable under Section 67 or 70 of the said Ordinance shall be begun, continued or completed in any area in which section 4 or section 7, as the case may be, is not in force.

BENGAL PUBLIC SECURITY ACT, 1932

In the wake of the introduction of the Criminal Law Amendment Bill in the Assembly, Bengal, the United Provinces, the Punjab, the North West Frontier Province and Bombay introduced Bills in local legislatures to empower the executive with special measures. As all these Bills are of the same nature with minor alterations, the text of the Bengal Public

Security Bill, 1932 given below will indicate the nature and scope of the special measures introduced in other provinces.

The Bill reproduces with certain important modifications the following sections of the Special Powers Ordinance:—

Sections 3, 4, 7, 11, 13, 16 to 18, and 22 of Chapter II;

Sections 36 to 40, 48 to 50 and 53 to Chapter IV;

Sections 54 to 57 of Chapter V; Section 72 of Chapter VII; and Section 74, 79 and 80 of Chapter VIII; and it has been framed on the principle of including the minimum of powers which experience has shown to be necessary for coping with activities subversive of law and order.

Though based on sections 3 and 4 of the Special Powers Ordinance the scope of clauses 3 and 4 of the Bill is less wide.

The other clauses of the Bill have been framed generally on the lines of the corresponding sections of the Special Powers Ordinance, 1932.

TEXT OF THE BILL

Whereas it is expedient to provide for the maintenance of the public security in case of emergency and for the trial of certain offences by Special Magistrates in such emergency:

And whereas the previous sanction of the Governor General has been obtained under sub-section (3) of section 80A of the Government of India Act to the passing of this Act:

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY

1. (1) This Act may be called the Bengal Public Security Act, 1932.

(2) It extends to the whole of Bengal.

(3) This chapter and chapter V shall come into force at once.

(4) The Local Government may, by notification in the CALCUTTA GAZETTE direct that all or any of the provisions of chapters II, III and IV shall come into force in any area on such date as may be specified in the notification:

Provided that the Local Government shall not direct that any provision of these chapters shall come into force in any area unless it is satisfied that by reason of a movement subversive of law and order a state of emergency has arisen in that area of such a kind that the existing powers of Government are inadequate for the maintenance of the public security:

Provided further that the Local Government shall withdraw the provisions so brought into force in any area when it is satisfied that such state of emergency has ceased to exist in that area.

(5) This Act shall remain in force until the thirty-first day of December, 1935.

Definitions

2. In this Act unless there is anything repugnant in the subject or context,——

(1) "the Code" means the Code of Criminal Procedure, 1898;

(2) "District Magistrate" means, within the limits of the town of Calcutta as defined in the Calcutta Police Act. 1866, and of the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburb Police Act, 1866, the Commissioner of Police: and

(3) "unlawful association" means an unlawful association within the meaning of section 15 of the Indian Criminal Law Amendment Act, 1908, and includes an association which has been declared to be unlawful by the Governor General in Council under any law for the time being in force.

CHAPTER II.

EMERGENCY POWERS

3. (1) Any officer of Government authorised in this behalf by general or special order of the Local Government may, if satisfied that there are reasonable grounds for believing that any person has acted, is acting, or is about to act in furtherance of the objects of any unlawful association or in furtherance of the commission of an offence under section 24 or of any offence prejudicial to the public security, himself arrest such person without warrant, or may direct the arrest without warrant of such person, and in making such arrest any means that may be necessary may be used.

(2) An arrest made by or on the direction of any officer under this section shall be reported forthwith to the Local Government by the officer so making or so directing the arrest as the case may be, and such officer may, by order in writing, commit any person so arrested to such custody as the Local Government may, by general or special order, specify in this behalf.

(3 No person arrested under this section shall be detained for a period exceeding twenty-four hours, exclusive of the time necessary for the journey from the place of arrest to the place of custody, except in the custody specified by the Local Government under sub-section (2).

(4) No person committed to custody under this section shall, unless the Local Government by special order otherwise directs, be detained in such custody for a period exceeding fifteen days and shall in no case be so detained in such custody for a period exceeding two months.

Power to Control Suspected Persons

4. (1) The Local Government, if satisfied that there are reasonable grounds for believing that any person has acted, is acting, or is about to act in furtherance of the objects of any unlawful association of in furtherance of the commission of an offence under section 24 or of any offence prejudicial to the public security, may, by order in writing, give any one or more of the following directions, namely, that such person—(a) shall not enter, reside or remain in any area specified in the order; (b) shall reside or remain in any area specified in the order; (c) shall remove himself from, and shall not return to, any area specified in the order; (d) shall conduct himself in such manner, abstain from such acts, or take such order with any property in his possession or under his control, as may be specified in the order.

(2) An order made under sub-section (1) shall not, unless the Local Government by special order otherwise directs, remain in force for more than one month from the making thereof.

(3) An order made under sub-section (1) shall be served on the person to whom it relates in the manner provided in the Code for service of a summons.

5. The District Magistrate may, by order in writing, prohibit or limit, in such way as he may think necessary for the public advantage, access to any building or place in the possession or under the control of Government or of any railway administration or local authority, or to any building or place in the occupation, whether permanent or otherwise, of His Majesty's Naval, Military or Air Forces or of any police force, or to any place in the vicinity of any such building or place.

6. The District Magistrate may, by order in writing, prohibit or regulate, in such way as he may think necessary for the public advantage, traffic over any road, pathway, bridge, waterway or ferry, if he is satisfied that

there are reasonable grounds for believing that such road, pathway, bridge, waterway, or ferry will be utilised in furtherance of the objects of any unlawful association or of any movement prejudicial to the public security.

7. The District Magistrate, if in his opinion, it is necessary for the public advantage, may, in consultation with the chief postal authority in the district, control the operation of any post, telegraph, telephone or wireless office or station, and, in particular, may intercept any postal article or telegraphic, telephonic or wireless message in the course of transmission, may ascertain its contents and may prohibit its further transmission.

8. The District Magistrate may, by order in writing, depute one or more police officers not below the rank of head constable, or other persons, to attend any public meeting for the purpose of causing a report to be made of the proceedings, and may, by such order, authorise the persons so deputed to take with them an escort of police officers.

Explanation.—For the purposes of this section a public meeting is any meeting which is open to the public or to any class or portion of the public, and a meeting may be a public meeting notwithstanding that it is held in a private place and notwithstanding that admission thereto is restricted by ticket or otherwise.

Mock Funerals

9. The District Magistrate may, by order in writing, direct that no person shall, with intent to annoy any person, or with the knowledge that annoyance it likely to be caused to any person, perform or take part in or abet the performance of any mock ceremony resembling any ceremony associated with or consequent upon death.

10. If any person disobeys or neglects to comply with an order made direction given, or condition prescribed in accordance with the provisions of this chapter, the authority which made the order, gave the direction or prescribed the condition may take or cause to be taken such action as it thinks necessary to give effect thereto.

Penalty For Disobeying Orders

11. Whoever disobeys or neglects to comply with any order made or direction given in accordance with the provisions of section 4 shall be punishable with imprisonment which may extend to two years, or with fine, or with both.

12 Subject to the provisions of section 11, whoever disobeys or neglects to comply with any order made, direction given, of condition prescribed in accordance with the provisions of this chapter or impedes the lawful exercise of any power referred to it, this chapter shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

Delegation Of Powers

13. (1) The Local Government may invest the District Magistrate with the powers of the Local Government under sub-section (1) of section 4.

(2) The Local Government may invest any Subdivisional Magistrate, or any police officer not below the rank of Deputy Superintendent, with any of the powers of a District Magistrate under this chapter.

(3) The District Magistrate may, by order in writing, authorise any officer to exercise any of the powers of the District Magistrate under this chapter in a special area or in connection with a specified emergency.

CHAPTER III

SPECIAL MAGISTRATES.

14. Any Presidency Magistrate or Magistrate of the first class who has exercised powers as such for a period or not less than four years may be

invested by the Local Government with the powers of a Special Magistrate under this Act.

15. Subject to the provisions of section 19, a Special Magistrate shall try such offences, other than offences punishable with death, as the Local Government or an officer empowered by the Local Government on this behalf may, by general or special order in writing, direct.

16. (1) A Special Magistrate, in trying accused persons, shall follow the procedure prescribed by the Code for the trial of warrant cases by Magistrates:

Provided that a Special Magistrate shall not be bound to adjourn any trial for any purpose unless such adjournment is, in his opinion, necessary in the interests of justice.

(2) In matters not coming within the scope of sub-section (1), the provisions of the Code, so far as they are not inconsistent with this Act, shall apply to the proceedings of a Special Magistrate and for the purposes of the said provisions the Special Magistrate shall be deemed to be a Magistrate of the first class.

17. A Special Magistrate may pass any sentence authorised by law, except a sentence of death or transporatation or of imprisonment exceeding seven years.

18. (1) Where a Special Magistrate in a case tried outside the limits of the Presidency town of Calcutta passes a sentence of imprisonment for a term not exceeding four years, or of fine, an appeal shall lie to the Court of Session.

(2) An appeal under sub-section (1) shall be presented within thirty days from the date of sentence.

19. (1) A Special Magistrate shall not try any offence unless it is an offence punishable under this Act or was committed in furtherance of a movement prejudicial to the public security.

(2) The question whether or not an offence tried by a Special Magistrate is of the nature described in sub-section (1) shall not be raised, in any Court other than the Court trying the offence, and where such question is so raised it shall be referred, within the local limits of the Presidency town of Calcutta to the Chief Presidency Magistrate, and outside such limits, to the District Magistrate and the decision of the Chief Presidency Magistrate or the District Magistrate as the case may be, shall be final.

Dealing With Refractory Accused

20. (1) Where any accused, in a trial before a Special Magistrate, has, by his voluntary act, rendered himself incapable of appearing before the Magistrate, or resists his production before the Magistrate, or behaves before the Magistrate in a persistently disorderly manner, the Magistrate may, at any stage of the trial, by order in writing made after such inquiry as he may think fit, dispense with the attendance of such accused for such period as he may think fit, and proceed with the trial in the absence of the accused.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1) such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or of being present in person if he has become capable of appearing, or appears before the Magistrate and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Code, no finding, sentence or order passed in a trial before a Special Magistrate shall be held to be illegal by any Court by reason of any omission or irregularity whatsoever arising from the absence of any or all of the accused whose attendance has been dispensed with under sub-section (1).

21. Notwithstanding anything contained in the Indian Evidence Act, 1872, when the statement of any person has been recorded by any Magistrate, such statement may be admitted in evidence in any trial before a Special Magistrate if such person is dead or cannot be found or is incapable of giving evidence and the Special Magistrate is of opinion that such death, disappearance or incapacity has been caused in the interests of the accused.

22. The provisions of the Code and of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of this Act shall apply to all matters connected with, arising from or consequent upon a trial by a Special Magistrate under this Act.

CHAPTER IV

NOTIFIED AREAS & NONTIFIED LIABILITIES

23. (1) The Local Government may by notification in the CALCUTTA GAZETTE declare that any part of the province or the whole province shall be a notified area for the purposes of this chapter.

(2) The Local Government may further, by the same or by subsequent notification, declare that in such notified area land revenue or any sum recoverable as arrears of land revenue, or any tax, rate, cess or other due or amount payable to Government or to any local authority or rent of agricultural land, or anything recoverable as arrears of or along with such rent, shall be a notified liability.

24. Whoever, by words either spoken or written, or by signs or by visible representations, or otherwise instigates expressly or by implication, any person or class of persons not to pay or to defer payment of any notified liability, and whoever does not act, with intent or knowing to be likely that any words, signs or visible representations containing such investigation shall thereby be communicated directly or indirectly to any person or class of persons, in any manner whatsoever, shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

25. No Court shall take cognizance of any offence punishable under this chapter except upon a report in writing of facts which constitute such offence made by a police officer not below the rank of sub-inspector.

Arrear of a Notified Liability.

26. (1) Any person to whom an arrear of a notified liability is due may apply in writing to the Collector to realise it, and the Collector may, after satisfying himself that the amount claimed is due, proceed to recover it as a public demand under the Bengal Public Demands Recovery Act, 1913.

(2) Nothing in this section shall prevent any person to whom an arrear of a notified liability is due from recovering it in accordance with the law applicable to the recovery of such arrear.

(3) Any person from whom an amount has been recovered under this section in excess of the amount due from him may recover such excess in accordance with law from the person on whose behalf the Collector has realised it.

CHAPTER V

SUPPLEMENTAL.

27. Notwithstanding anything contained in the Code, any offence punishable under this Act shall, save as otherwise specially provided in this Act, be cognizable and non-bailable.

28. Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence punishable under this Act.

29. Anything done or any proceedings commenced in pursuance of any provisions of the Special Powers Ordinance, 1932, shall where the corresponding provision of this Act has come into force before the 30th December 1932, be deemed on the expiry of the said Ordinance to have been done or to have commenced in pursuance of the corresponding provision of this Act and shall have effect as if this Act was already in force when such thing was done or such proceedings were commenced.

GOVERNMENT REPORTS

CENSUS OF INDIA

THE following are extracts taken from the Abstract of the Census of India 1931:—

The area of the Indian Empire is, according to the latest estimate 1,808,679 sq. miles. It lies between 61 degrees and 101 degrees of longitude east and between 6 degrees and 37 degrees of latitude north, thus including every variety of climate from well within the temperate zone to tropical and sub-equatorial. The annual rainfall varies from 5 inches to 500 inches so that every sort of physical feature is included and there is a corresponding diversity of flora, fauna and inhabitants. The population returned at the census is 352,837,778 showing a rise of 10.6 per cent since 1921. The number of males is now 181,828,923 and females 171,008,855 giving a proportion of 940 females per 1,000 males. The variations in the population in the last fifty years are:—

Increase (actual and percentage).

	1921-1931	1911-1921	1901-1911	1891-1901	1881-1891	1881-1931
Total	33,895,298	3,786,084	20,795,340	7,046,385	33,418,341	98,941,448
	10.6	1.2	7.1	2.5	13.2	39.0
Male	17,833,369	2,656,619	11,387,111	3,182,195	16,820,329	51,879,623
	10.9	1.6	7.6	2.2	12.9	39.9
Female	16,061,929	1,129,465	9,408,229	3,864,190	16,598,012	47,061,825
	10.4	0.7	6.5	2.7	13.4	38.0

The mean density per square mile in the whole of India is 195 varying from a maximum of 814 in Cochin State, and in British India of 646 in Bengal, to a minimum of 5 in the Baluchistan States and 9 in British Baluchistan. The decade was one generally free from pestilence, plague or famine in India as a whole, with the result that the growth of the population has been comparable to that in the last similar decade 1881—1891, when the natural rate of increase was 9.6 per cent. The figures in the table above include the increase due to the population in areas not previously censused.

DISTRIBUTION IN URBAN AND RURAL AREAS

The urban population is now 11.0 per cent of the total an addition of 0.9 per cent in this population since 1921. The variations per cent since 1921 of this population in the nine largest cities are as follows:—

Calcutta (including Howrah and suburbs)	+11.9
Bombay	— 1.2
Madras	+22.8
Hyderabad	+15.5
Delhi	+44.3
Lahore	+52.5
Rangoon	+17.1
Ahmedabad	+14.5
Bangalore	+29.0

In the population classified by Civil Condition and Age almost half the males and a little above one-third of the females are unmarried. 46.7 per cent of the males and 49.3 per cent of the females are married, while 5.4 and 15.4 per cent respectively are widowed. The relative proportions of the population under 15 years, aged 15 to 50, and 50 and over are 39.9, 50.5 and 9.6 per cent.

The proportion of the working population engaged in agriculture is 66.4 per cent. Those engaged in trade number 5.13 per cent, in industries 9.95 per cent and in transport 1.52 per cent. In 1921, the persons employed in mines, plantations and organized industrial establishments having 10 or more employees numbered 2,681,125, out of a total of 23,236,099 persons engaged in Mines, Industry and Transport. The total under these three heads comes to 25,005,280 in 1931 and though no general return has been obtained from industrial establishments employing organized labour it is believed that the maximum number of organized employees, corresponding to the 2½ million of 1921, cannot exceed 5,000,000, and if the rate of increase be the same as in the previous decade the figure will be about 3,250,000, of which 1,553,169 are employed in establishments governed by the Factories Act.

The number per mille of the population of India aged five and over who can read and write any language is males 156, females 29, the corresponding proportions (of all ages) in 1921 having been males 122 and females 18, and in 1881 males 81 and females 3. The proportion literate in English is males 25 and females 3 per mille of 20 years and over only. The total literate population of India including children is 23,962,279 males and 4,169,036 females. The corresponding figures in 1901 were 14,690,080 and 996,341. The total illiterate population in 1931 was 156,243,305 males and 165,384,698 females.

RELIGION AND LANGUAGE

There are some 225 languages, exclusive of dialects, spoken in the Indian Empire, about 150 of which are confined to Assam and Burma. For the purpose of this abstract these languages have been shown in groups of allied tongues as classified, roughly, that is, by Sir George Grierson. With three exceptions the aggregate of speakers of any one of the indigenous groups shown comes to not less than 2 millions. At least 20 different scripts are employed in writing these languages, the two most important being Urdu and Nagari; Bengali, Telugu and Tamil follow in that order in point of numbers of users; how many use Modi (the Marathi script) is not certain. For Burma the Burmese is the only vernacular script of any importance. Speakers (by mother tongue) of languages foreign to India recorded at the census of 1931 numbered 646,535, the number of English speakers being 319,312.

The following table shows the population of the provinces and some of the states according to the principal religions:—

	Hindu	Sikh	Muslim	Christian
Bombay (Presidency)	16,619,866	20,723	4,457,133	317,042
Bombay	15,603,059	2,208	1,583,495	299,664
Sind	1,015,222	18,505	2,830,800	15,133
Aden	1,585	10	42,838	2,245
Bengal	21,537,921	—	27,530,321	180,572
Madras	40,392,900	—	3,316,083	1,770,328
Burma	574,697	—	606,841	—
Punjab	6,328,588	3,064,144	13,332,460	414,788
United Provinces	40,905,532	46,500	7,181,927	205,009
Bihar & Orissa	31,010,660	—	4,264,776	341,710
Central Provinces	13,460,105	—	682,854	50,584
Hyderabad State	12,173,327	5,197	1,535,022	151,946
Jammu & Kashmir	734,607	50,662	2,817,695	2,177
Mysore	6,015,880	100	398,628	87,538
Gwalior	3,271,576	681	204,297	1,198
Baroda	2,152,071	521	182,630	7,262
Rajputana Agency	9,578,805	41,605	1,069,325	5,778

The following table shows the population according to age and religion:—

Religion	Males. 0-15	Males. 15-50	Males. 50 & over	Females. 0-15	Females. 15-50	Females. 50 & over
Hindu	47,999,305	62,313,369	11,859,860	45,537,194	59,189,918	11,699,007
Muslim	16,752,112	19,750,208	3,596,783	15,436,079	17,861,986	2,947,063
Tribal	1,675,871	1,800,953	311,458	1,665,839	1,837,051	320,631
Christian	1,261,579	1,510,645	282,356	1,226,354	1,422,941	260,124
Sikh	923,487	1,191,807	308,444	784,065	893,671	222,256
Buddhist	90,188	110,324	23,720	85,768	104,037	21,820
Others	356,734	495,958	109,747	331,617	438,148	101,344
All Religions (India proper)	69,059,276	87,173,264	16,492,368	65,066,916	81,747,752	15,572,245

The proportion in the population returned under the main religions, and the variations since 1921 are as follows:—

	Proportion per 1,000 of population.	Percentage of increase or decrease in actual number since 1921.
Hindu	682	+10.4
Muslim	222	+13.0
Buddhist	36	+10.5
Tribal Religions	24	—15.3
Christian	18	+32.5
Others	18	+38.0

The number of Europeans is 168,134 (males 117,336, females 50,798) and of Anglo-Indians 138,395 (males 71,247 females 67,148). The figures of Europeans show a decrease in India proper of 10,883 since 1921 and of 3,309 since 1901. There has, however, been a rise of 2,986 persons, 1,585 males and 1,401 females, in Burma since 1921. This increase is partly to be attributed to the presence of tourists in greater numbers in 1931.

JUVENILE OFFENDERS

The report in connection with activities dealt with by the Education Department of Government relating to the Bengal Children Act, 1922, the Calcutta Suppression of Immoral Traffic Act, 1923, the Bengal Borstal Schools Act, 1928, and the Reformatory Schools Act, 1897, for the year 1931, states:—

During the year 1931, the total number of children dealt with by the Juvenile Court was 275. Of them 14 were dealt with under the Bengal Children Act, 45 under the Calcutta Suppression of Immoral Traffic Act, and the rest under the Indian Penal Code and other Acts.

The number of children received from the Court during the year under report was as follows:—

Reformatory School	45
Industrial School	2
Salvation Army Home	5
Gobinda Kumar Home	14
Society for the Protection of Children in India	3

The rest of the children dealt with by the Juvenile Court were discharged, acquitted or made over to their guardians.

The following summary outlines the activities of the various institutions working under these Acts:—

(1) **Reformatory and Industrial Schools (for boys), Alipore:**—The combined Reformatory and Industrial Schools at Alipore for boys under section

6 (1) of the Bengal Children Act is under the general administrative control of the Director of Public Instruction, Bengal. The immediate control and management of the institutions lies with the Superintendent and a managing committee consisting of officials and non-officials.

The capacity of the combined institutions is 350 boys, and they are wholly maintained by Government.

On 31st December 1931, the number of boys in the Reformatory School was 193 against 207 on the corresponding date in the previous year. The number of boys in the Industrial School in 1931 was 43 against 38 in 1930. All the pupils in both the institutions in 1931 were Indians except two Anglo-Indians. Of the Indians 128 were Hindus, 94 Muhammadans and 12 Christians. The number of Bengali speaking boys in the Reformatory School increased from 63 to 67 and Hindi-speaking boys from 74 to 87. In the Industrial School the number of Bengali-speaking boys remained as before, viz., 14 and the number of Hindi-speaking boys increased from 8 to 12. The number of Urdu-speaking boys in the Reformatory School decreased from 69 to 38 and in the Industrial School the number increased from 15 to 16.

The classification of pupils according to domicile was as follows:—

	Reformatory	Industrial
Bengal—		
(a) Pure Bengali	62	14
(b) Domiciled in Bengal	52	20
(c) Anglo-Indian	1	1
Bihar	35	5
Orissa	6	......
United Provinces	22	1
Madras	6	......
Rajputana	4	1

The Punjab, Kashmir, Bombay, Central Provinces and Ceylon each accounted for one boy in the Reformatory School, while there was one from the Central Provinces in the Industrial School also.

Those classified as domiciled in Bengal were mostly up-country boys. The medium of instruction was Bengali, Urdu or Hindi, according to the language of the boys, up to the standard of primary and post-primary classes. The curriculum was that proposed by Messrs. J. M. Sen and K. C. Ray and sanctioned by Government. The results of the annual examination were on the whole satisfactory.

In the workshops tailoring, carpentry, blacksmithy, tinsmithy and weaving were taught. Regular moral instruction was given by the teachers once a week.

The boys took a keen interest in various games and physical exercises, and drill and gymnastics formed a part of the daily routine. The Scout troops of this institution had a very successful year.

In 1931, there was a considerable increase in sickness among the boys and there were two deaths. The increase in malaria, skin disease, chickenpox and influenza cases was attributed to the condition of the tank in the school compound. The improvement of the tank in August 1931 was followed by a marked decrease in the number of hospital cases by the end of the year.

There was a serious outbreak of indiscipline among the boys towards the end of May 1931, but the situation was brought under control and the atmosphere prevailing at the end of the year was altogether happier and brighter: greater freedom is now allowed, and selected boys are allowed to go home unattended on holidays, while relatives and guardians are permitted to mix freely with the boys on Sundays.

(2) **Gobinda Kumar Home, Panihati:**—This home is intended for Indian girls dealt with under the Calcutta Suppression of Immoral Traffic Act as well as the Bengal Children Act.

The capacity of the home is 95 girls.

There were 88 girls of ages varying from 6 to 16 in this home in 1931 as against 72 in 1930. Out of 88 girls, 71 were Bengalis, 6 United Provinces girls, 7 Oriyas, 3 Marwari and 1 Nepali. All of them were Hindus, dealt with under section 4 of the Immoral Traffic Act. During 1931, the average cost of maintaining a girl amounted to about Rs. 20 per month as against Rs. 23 in 1930; of this Rs. 20, Rs. 10 per month was contributed by Government, the balance being met from private sources. Owing to trade depression the amount of private subscriptions diminished and the authorities found it difficult to maintain the home at the standard they would have wished.

The girls were taught hygiene, needlework, painting, drawing, jam and chutney making and other useful subjects in addition to the ordinary elementary lessons. The primary school attached to the home had classes IV, II, and I, but the progress made by the girls was not as good as in the previous year.

The health of the girls was fairly good and satisfactory during the year 1931.

(3) **Salvation Army Women's Industrial Home for Girls, Entally:**—This home also is intended for Indian girls dealt with under the two Acts.

During the year 1931, 5 girls between the ages 8 to 14 were sent to this home by the Court. Of them 2 were Hindus and 3 Muhammadans. Two of them belonged to Bengal, 2 to the United Provinces and one came from Bihar and Orissa.

All these girls were rescued from houses of ill-fame and dealt with under section 4 of the Immoral Traffic Act, except one belonging to Bihar and Orissa and who was dealt with under section 380, Indian Penal Code, for theft.

Three girls in the home were reading in the 1st standard and the other two in the 2nd standard. They were also taught house work and sewing. They were taught drill and games and their health was fairly good.

The cost of maintenance was Rs. 16-10-8 per head of which Rs. 10 was paid from provincial revenues and the balance from public subscription.

The home received during the year under review a maintenance grant of Rs. 1,500 in addition to the capitation grant of Rs. 10.

(4) **Calcutta Protestant Home (Fendail Home):**—This home is intended for Anglo-Indian and European girls.

No girls dealt with under the Bengal Children Act or the Immoral Traffic Act were sent to this home by the Juvenile Court during 1931. There were however girls sent in previous years, and on their account the home received a total capitation grant of Rs. 160 during 1931-32.

(5) **Society for the Protection of Children in India:**—During the year under review the society continued to render useful assistance to children taken under its protection by arranging for their guardianship, by placing them in suitable schools, by help with clothing, temporary relief and advice.

The society dealt with 737 children of various nationalities in 1931 as against 568 in 1930. Out of 737 children, 163 were placed in 42 different schools or institutions, 20 handed back to their guardians and 6 admitted into hospitals. The society undertook the protection or guardianship of 101 children and gave temporary help or advice to 336.

In 1931, Government recognised the society as eligible for capitation grants for children committed to its custody by a Court under the Bengal

Children Act or the Immoral Traffic Act. It also received the annual Government grant of Rs. 3,000.

The total expenditure of the society during the year 1931 was about Rs. 30,000.

(6) **Hazaribagh Reformatory School:—**The Reformatory School at Hazaribagh under the control of the Government of Bihar and Orissa continued to be used by this Government as a place where youthful boy offenders of this province were sent by Courts of the districts where the provisions of the Bengal Children Act had not been extended.

During the year under report, 6 boys, who had been convicted by Courts in Bengal, were discharged from this school, 2 under section 14 (a) of the Reformatory Schools Act of 1897 and 4 under section 13 (2) of the Act.

(7) **Bengal After-care Association for Juveniles and Adolescents:—** Government note with regret that this association which received a grant of Rs. 3,000 from Government, has failed to submit any report regarding its work during the year 1931.

ST. ANDREW'S DAY DINNER

BENGAL GOVERNOR'S SPEECH

HIS Excellency Sir John Anderson, Governor of Bengal, in course of his speech at the Saint Andrew's Day Dinner held on Wednesday, the 30th November, dwelt briefly on current affairs in Bengal—the state of her finances, the "menace of terrorism" and future problems confronting her.

MESTON SETTLEMENT AND BENGAL

On the question of the Meston Settlement, His Excellency said that his sympathies were with Lord Meston. In tracing the history of the Committee, he said, "All that they were instructed to do was to determine the contribution which Bengal should make to the Central Government out of the increase in spending power which, it was assumed, would accrue in consequence of the decision to transfer certain heads of revenue from the Centre to the Provinces. As matters turned out, however, Bengal, instead of having a surplus, was faced with a heavy deficit which had to be met, in spite of the remission of the provincial contribution to Central revenues, by retrenchment and increased taxation. The calculations underlying the Meston Settlement including the initial assumption upon which the Committee had to act, proved in the case of Bengal incorrect in 1921. To-day we are concerned with the rights and obligations of Bengal as an autonomous unit in a federated India, a very different problem. In a federated India, each of the units will have to work out its own salvation and for that purpose must have control of its own resources subject of course to a fair, but not more than a fair, contribution to the common good."

The claim of the Government of Bengal to the proceeds of the Jute Export Duty was, of course, being carefully considered. It is often said that Bengal would have been all right but for the Permanent Settlement. But there are other considerations. "No doubt," the Governor maintained, "the provincial Government would have been able, had there been no Permanent Settlement, to derive a larger revenue from the land: but in that case it would have been impossible under conditions prevailing to-day to collect the full amount of the tax on jute. Again, even were it within the power of the local Government to scrap the settlement and to expand the land revenue, I fail to see that the omission to do so would be a justification for laying another burden on the land of the province in the shape of a jute export dutyleviednot for the benefit of the province but for India as a whole.

Again it may be said that other parts of India are also suffering from financial stringency and cannot afford to meet the cost involved in giving relief to Bengal. Such an argument seems to me to ignore the true nature of our claim. We maintain that Bengal (and what I say applies to the two other jute-producing provinces of Bihar and Orissa and Assam) will have on principle, as a unit in the Federation, an indefeasible right to the duty."

PROPOSALS OF RETRENCHMENT

To meet administrative expenses some way must be found out. This leads to the question of retrenchment. A committee had been appointed to that end and they recommended a cut of Rs. 2 crores.

But the main thing, according to the Governor, was that retrenchment alone could not place the province in a position of solvency. He continued, "It is fully recognised by Government that we must retrench—though we

have done little else since 1922—and this will be done so far as it can be done without permanent impairment of administrative efficiency; but we need the proceeds of retrenchment as well as the additional revenue we have claimed not only to bridge the existing gap between revenue and expenditure but to give us the margin essential if we are to make any effective attack upon the problems of the future."

MENACE OF TERRORISM

On the point of terrorism, His Excellency observed that there was a feeling in some quarters of disappointment that the drastic measures taken during the past twelve months had not been productive of more immediate and obvious results. Those who took that view failed to appreciate the character and ramifications of the terrorist conspiracy.

"I entertain," said he, "no doubt whatever that the menace of terrorism will be fought down. Whether the poison which has induced those periodical outbreaks will be completely eliminated from the body politic depends primarily not upon Government but upon the fibre and quality of the people of Bengal."

He further added, "We rely on steady pressure and a gradual strengthening of the resources of Government, letting no opportunity slip of perfecting both the protective and combative elements in our armoury."

JUSTIFICATION OF COLLECTIVE FINES

Referring to the policy of levying a collective fine upon a locality, His Excellency remarked, "There is nothing either barbarous or illogical in the principle of exacting from the inhabitants of a locality a contribution towards the burdens which they throw on the State as a whole. Indeed, the principle is widely accepted and has been enshrined in Indian Statute law, at all events since the Police Act of 1861. In England it is a salient feature of police finance that exceptional police expenditure in any locality falls as to 50 per cent on the ratepayers of that locality and in certain circumstances the whole of the expenses may be so charged. Moreover, where damage is caused through riot or civil commotion, the cost of making good the damage is thrown upon local and not upon central funds. It is not the principle that is open to challenge but its practical application. There again the law provides, and rightly, for discrimination.

Here in Bengal no fair minded man would wish to shut his eyes to the fact that the Muslim community as a whole has stood aloof from the terrorist movement and members of that community have therefore rightly been exempted. We do not say, and cannot say,—and it would be wholly wrong to suggest,—that the Hindu community of this Province as a whole has given support to or is in sympathy with terrorism; but what is not open to dispute is that large numbers of Hindus who have not themselves taken any active part in revolutionary or terrorist acts have felt sympathy with the objects of the terrorists and shown a marked disposition to condone their methods. So long as those sections of the Hindu community which neither support nor sympathise with terrorism have taken no steps openly to dissociate themselves for the movement and thus not only to perform an elementary duty of citizenship but also to render to Government and the province the greatest service which it is in their power to render, can Government and its local officers be blamed for failing to draw a distinction which those concerned have not themselves drawn and which, without their assistance, Government have no means of drawing? These considerations apply, in my opinion, with full force in the case of charges imposed in respect of additional police. In the case of the ordinary "collective fines" some further considerations arise, but what I have said just now

with regard to the discrimination between different sections of the community is fully applicable.

On the other side, I have seen criticisms that we have been slow to inflict collective fines and slower still to realise them. There is a simple answer to that. I have said already that the collective fine is not an instrument we are very keen on and where there is any general disposition to assist the authorities against the terrorists there ceases to be any case for the infliction of a collective fine. We would rather have the people's co-operation than their money. Movements which I most heartily welcome have been started in Dacca and other towns for the effective banding together of the inhabitants against this menace: in so far as these movements appear to be genuine attempts to put a stop to revolutionary crime, and in so far as they receive general public support as such, we shall do all in our power to foster them."

FUTURE OF THE PROVINCE

More than the problem of terrorism or of the constitutional development, was the problem of the economic and cultural future of the province. He asserted that for sometime past Bengal had been on the downgrade relatively to other provinces. The problem, therefore, of the government was to find means of arresting this downward movement of which one symptom, if it was not a cause, lay in the outpouring of an annual flood of youths inadequately equipped with a purely literary education, for whose energies no legitimate outlet could the present disposition of affairs be found either within or without the boundaries of the province.

Finally exhorting on the need and efficacy of patience, he said, "There is no reason to be resentful or impatient of delays in completing the constitutional structure. There are many interests and many points of view to be considered: the measure must be a measure of justice as well as of appeasement. It is surely worth while to spend a little extra time to ensure the fullest examination of every just claim so that there may be framed a constitution under which India will be able to command the willing and ready co-operation of all the best elements in the country and enabled to look forward to a constitutional future worthy of a great past and worthy, I would add, of the genius and traditions of the British people."

BURMA GOVERNOR'S SPEECH

His Excellency, Sir Charles Innes, in his speech took occasion to reply to the charge levelled against the Burma Government in connection with the present Separation controversy.

Dealing with the first charge that the Government wantonly threw an apple of discord into Burma and went out of their way to provoke an entirely unnecessary controversy in the country, His Excellency pointed out that the Burma Government were called upon to prepare materials for the Simon Commission. On enquiry, as His Excellency was informed that the separation question would certainly be brought up, the Government prepared a memorandum on separation for the Commission.

His Excellency then gave a resume of the past activities covering a number of years, and said that it was evident that there had been a strong body of opinion in Burma in favour of separation for a long time past.

"NO AXE TO GRIND"

Coming to the second charge that, for some ulterior purpose, the Government tried to drive Burma out of India against her will, His Excellency confessed that the memorandum presented to the Simon Commission on separation "was purely a bureaucratic production," having been prepared by

himself and other I. C. S. members of the Government of Burma. To them the Bureaucrats' case was a just case. They had no axe to grind.

Their sole object was to find right judgment on the facts, and do what was best for the country they served. Their memorandum was just a Secretariat study of the question, setting out fairly the arguments for and against separation.

Continuing, the Governor said: "If it is thought the British Government are interested in the separation of Burma from India, it is an entire illusion. The British Government are merely anxious to do what is best for Burma, and what is really desired by Burmans."

THE QUESTION OF SEPARATION

His Excellency added that separation was not suited to the particular individual interest of either the members of the Civil Service in Burma or of the European business community. In the first place, His Excellency did not suppose that the Civil Service members in Burma would wish to be divorced from the great Service to which they all belonged. Secondly, the pensions of the All-India Services in Burma were at present secured upon the revenues of both India and Burma. If Burma was separated, these pensions would be secured on the revenues of Burma alone, and none would pretend that that was an advantage to the Services. The European business community came down to favour separation, because they considered that, for the reasons given by the Simon Commission, ultimate separation was inevitable, and the present was the proper time to separate.

But if the decision was in favour of a Federation, His Excellency imagined that the decision would suit the particular interests of most of the business-firms, as India was the greatest market for Burma's products. One of the disadvantages of separation would be, that tariff duties would probably be imposed on goods exchanged between India and Burma, and their greatest market would be prejudiced.

GOVERNMENT'S CONDUCT

Throughout this controversy, His Excellency added, the Government endeavoured to give the people of Burma a perfectly square deal. The Government favoured separation only after the Simon Commission had accepted the case for separation, and after the Burma Legislature had passed a unanimous resolution in favour of separation. Regarding the non-inclusion of Anti-Separationists at the first Indian Round Table Conference, His Excellency remarked that most of them at the time were non-co-operators and it was obviously right that the four available places for Burma were filled from the Burma Legislature. The Government had made no attempt to force their views on the people of Burma, and the Government's conduct throughout had been entirely correct.

Concluding, His Excellency said that the final issue of this controversy must rest with His Majesty's Government and the British Parliament, but, next week, the Burma legislature would have to make a very important choice. His Excellency said: "It is a difficult question, and there are arguments either way. Many Burmans, I know, are genuinely perplexed and anxious to do what is best for Burma, and I think we can all sympathise with them. We can only hope that they will choose wisely and well and that whatever the final decision may be, it will be accepted and that the controversy will die down."

ORDINANCES IN OPERATION

PROVISIONS of Ordinances were in operation this quarter, particulars of which are given below:—

PRESS ORDINANCE

The following newspapers came under the above Ordinance during the quarter—

NAYAK (Calcutta)

In connection, with an article regarding the Janmashtami appearing in its issue of 24th August last, the office of the "Nayak," a local vernacular daily, was searched, on the 18th October, by the police and seven copies of the issue were seized. Out of Rs 500 deposited as security, Rs. 200 was declared forfeited.

Following the above forfeiture a fresh security for Rs. 4,000 was demanded on the 14th November under the Press Ordinance from the "Nayak" by the Chief Presidency Magistrate.

FREE PRESS JOURNAL (Bombay)

On October 20, under Section 10 (1) of the Emergency Press Act, the Bombay Government served orders on the Manager of the "Free Press Journal," forfeiting the security of Rs 10,000 deposited on 1st August with a fresh declaration by Mr. Sadanand, in respect of an article appearing on 20th September.

The Government order states:—

"Whereas the said newspaper contains an article headed 'Swaraj while under this curse' published in its issue dated 20th September; whereas it appears to the Governor-in-Council that the said words tend directly or indirectly to bring into hatred or contempt the Government established by law in British India or to excite disaffection towards the said Government or to promote feelings of enmity or hatred between different classes of His Majesty's subjects, and as such are of the nature described in clauses (D) and (H) of sub-section one of Section 4 of the said Press Emergency Act 1931;

"Now, therefore, the Governor-in-Council, in accordance with the provisions of Section 10 of the said Indian Press Emergency Powers Act, is hereby pleased, by notice in writing to declare the security of Rs. 5,000 deposited by you as printer and publisher and of Rs. 5,000 as editor to be forfeited to His Majesty."

The article which is the subject of the Government's order is an extract from the "Young India" of April 1930 in which Gandhiji criticises the Government's action in connection with the Nasik satyagraha. The article appeared on 20th September, when the Free Press Journal brought out a special edition containing extracts from Gandhiji's writings.

On the 27th October when Mr. Sadanand filed a fresh declaration before the Magistrate as Printer and Publisher of the "Free Press Journal" and the Keeper of the Free Press Bulletin Press, he was directed by the Chief Presidency Magistrate, Bombay, to deposit a sum of Rs. 20,000 as security.

In making the above order the Chief Presidency Magistrate said that the security of Rs. 10,000 which the "Free Press Journal" had deposited had been forfeited by Government for the publication of certain articles which were considered objectionable, and as there seemed to be a likelihood of the

same being repeated His Worship directed Mr. Sananand to deposit Rs. 10,000 as printer and publisher of the 'Free Press Journal' and another sum of Rs. 10,000 as keeper of the Press.

The Magistrate further directed that the amount of Rs. 20,000 should be deposited within 10 days, that is on or before November 5.

The sum was deposited on the 5th November.

INDIAN EXPRESS (Madras)

The Chief Presidency Magistrate demanded Rs. 1,000 from Mr. Krishnamurthy, Acting Editor of the "Indian Express," when he appeared before him on the 4th November, for making a declaration as Printer and Publisher of the "Indian Express."

Hitherto the declaration stood in the name of the former Proprietors but it was changed that day consequent on the Free Press of India taking it over.

MORNING POST OF INDIA (Karachi)

Mr. Rijhumal, Editor of the "Sansar Samachar," declared himself on the 19th December as the printer and publisher of a new Nationalist English daily, "The Morning Post of India." Mr. Rijhumal was asked by Mr. W. N. Richardson, Additional District Magistrate, Karachi, to deposit a security of Rs. 500.

ZAMINDAR (Lahore)

The Police, it is reported raided, on the 22nd October, the office of the "Zamindar," a vernacular daily and seized several copies of the issue dated August 27.

The security of Rs. 2,000 deposited by the above journal was forfeited by the Punjab Government for criticising the treatment meted out to political undertrials by the police on the 21st December.

"AJ" PRESS (Benares)

The police made a surprise raid on the office and press of the local daily "Aj" at three, on the 29th October, on suspicion that Congress literature was being printed and stocked there, but nothing incriminating was found. The search lasted for an hour.

KUMAR (Ahmedabad)

A security of Rs. 2,000 was demanded from Mr. Ravishanker Raval, Editor and publisher of "Kumar" a local vernacular magazine on the 1st November.

Only a few days ago, security of Rs. 2,000 was demanded from Mr. Bachubhai the printer of "Kumar Printery." This security was already deposited. The magazine in question is being printed at the "Kumar Printery.".

RANGOON TAMIL WEEKLY (Rangoon)

The joint editor of the "Desopakari," a Tamil weekly newspaper, was served with a notice by the Burma Government to deposit a security of Rs. 3,000 with the District Magistrate of Rangoon before the 22nd October under the Indian Press (Emergency Powers) Act 1931. The editor of the paper Mr. Chellam Pillai was then undergoing a term of imprisonment for sedition.

NATIONAL CALL (New Delhi)

A report, dated November 21 stated that the keeper of the National Journals Press and printer and publisher of the "National Call," which would shortly issue in Delhi under the editorship of Mr. J. N. Sahni and the managership of Mr. K. D. Kolhi, had been asked by the Local Government to deposit a security of Rs. 1,000, each at the time of the declaration.

VASANT PRINTING PRESS (Ahmedabad)

The keeper of the Vasant Printing Press was served on the 3rd December with a notice from the District Magistrate asking him to deposit a security of Rs. 3,000 for having printed an alleged objectionable article in the monthly entitled "Piyush Patrika."

KESARI PRESS (Poona)

The security of Rs. 1,000 deposited by the manager of the Kesari Printing Press, Poona, in which the English weekly, "The Mahratta," is printed, was declared forfeited by an order dated, the 16th December, of the District Magistrate, Poona, it is stated, for an article entitled "The Governor's Tour" appearing in the "Mahratta" of 13th November. The Editor of the "Mahratta" was asked to deposit a fresh security of Rs. 2,000 before the 22nd December. The sum was deposited on the 20th.

SANDESH (Ahmedabad)

Mr. Mandlal Chunilal, editor, printer and publisher of the "Sandesh," a local vernacular daily, was served with a notice signed by the District Magistrate, under the Special Powers Ordinance, requiring him not to publish the names of persons taking part in or arrested or convicted in connection with Congress activities and to abstain from all activities in support of the Civil Disobedience movement.

Mr. D V. Divekar, publisher of the "Mahratta" deposited the sum on the 20th December.

MAJUR SANDESH (Ahmedabad).

Mr. Vasavda, an officer of the local Textile Labour Association, appeared on the 23rd December, before the District Magistrate and filed declarations as keeper of the printing press and printer and publisher of "Majur Sandesh," a weekly organ of the Labour Association. The District Magistrate demanded a security of Rs. 2,000 as keeper of the press and Rs 500 as printer and publisher of the paper.

The paper was closed at the beginning of this year when the Civil Disobedience movement was revived and the press was subsequently closed as the security was demanded under the Press Emergency Powers Act and it was not paid. The Labour Association decided later to pay the security and re-start both the press and the paper.

CHITRA SHALA PRESS (Poona)

A security of Rs 2,000 was demanded from the Chitra Shala Press. A notice was served on the keeper of the said press on the 28th December, informing him that the security amount of Rs. 2,000 had been forfeited, and that he must make another declaration within 10 days.

DESER-DAK (Noakhali)

Sj. Kshitish Chandra Roy Chowdhury, editor, "Desher-Dak," Noakhali, who was sentenced to undergo one year's rigorous imprisonment on a charge of sedition, was released from the Alipore Central Jail on Thursday but was re-arrested under the Bengal Ordinance.

SANSAR SAMACHAR (Karachi)

Mr. Rijumal, Editor and Mr. Assudamai, printer and publisher of the vernacular daily "Sansar Samachar," were convicted by the Special Magistrate, Karachi, under the Special Powers Ordinance. They were fined fifty rupees, in default, ordered to undergo one month's rigorous imprisonment. The fines were paid. Convicting the accused, Mr. Richardson, Magistrate, said: "The Government does not interfere with honest journalism, nor is a

journalist prosecuted for his first offence. He is warned. In this case, more than one warning was given. If a journalist or publisher continues to offend, he is prosecuted." Such is the news of the 6th December.

RESTRAINTS AND PROHIBITIONS

Calcutta Government Gazette published, on the 12th October, a notification by the Police Commissioner prohibiting any person from carrying dagger, sword, spear, bludgeon, lathi, gun and other offensive weapons in a public place, in the town or suburbs of Calcutta for one year from November 1st next.

Ashutosh Lahiri, the Assistant Secretary of the Bengal Provincial Hindu Mahasabha was arrested on 23rd October, at the junction of Amherst Street and Harrison Road by two officials of the intelligence branch, and taken to Elysium Row police station.

The Calcutta Corporation has been informed by the Commissioner of Police that room No. 19G, College Street Market, which was occupied by the All Bengal Youths' Association (declared unlawful) and which was taken possession of by Government, will be returned to the Market authorities if an undertaking was given that no room of any premises in possession of the Corporation will be let out " to any Congress Association or such other anti-Government organisation."

The District Magistrate of Malda, under date October 7, had issued the following prohibitory orders under section 144 Cr. P. C. upon the citizens of this town, to be observed during the month of October:—

1. No bus to leave the town or enter it after 6-30 p m.
2. Buses and taxis shall not ply in the town after 9 p.m.
3. Pedestrians are to take lights if they want to move about after 9 p.m. and are also required to answer a challenge by the police.
4. Plying of taxis and buses in the town has been extended during the Puja up to 10 p.m. and on the Bijoya Dasami i.e. the immersion ceremony day up to 11 p.m.

The Deepali Industrial Exhibition organised by the Ladies' Association called the Deepali Association was to be opened on the 17th December in the premises of Nari Siksha Mandir at Tikatuly at Dacca. The District Magistrate issued orders on the 16th December under section 144 Cr. P. C. prohibiting the same for two months.

Notices on Sm. Usharani Roy, Secretary of the above Exhibition Committee and on the general public had been issued.

Sjt. Saktipada Chatterjee, L.M.F., was served with a notice under Section 4 of the Special Powers Ordinance directing him not to take part in any Congress activities and to report himself daily before the officer-in-charge, Joypur Police Station, Bankura. Similar notice was also served on Adhar Chandra De, an old man of 80.

Golab Narain Tewari, a Ranchi Hindu Sabha leader, who was carrying on an anti-untouchability campaign, was served with a notice under section 144 prohibiting him from holding any meeting or visiting any place within the jurisdiction of the Ranchi sub-divisional officer for a period of two months.

MISCELLANEOUS

PROSCRIPTION

On December 14, a book in English 'Our Task in India' written by Mr. M. N. Roy had been proscribed under orders of the Governor-in-Council.

The Madras Government ordered to be forfeited to His Majesty all copies of the book in Tamil entitled "Pandit Motilal Pattu" (Song of Motilal) compiled by one Mr. V. A. Thyagaraya Chettiar.

QUIT ORDER

Sjta. Nikko Devi, a prominent Congress worker of the Frontier was directed to remove herself within twenty-four hours from Lahore. Further she was prohibited from entering until further notice, the following districts of the Punjab:—Rohtak, Ambala, Simla, Hoshiarpur, Jullunder, Ludhiana, Gurdaspur, Amritsar, Gujranwala, Montgomery and Lyallpur.

Dr. Lilavati, a lady dentist, who was practising at Delhi was served with a notice by the Chief Commissioner directing her not to participate in revolutionary and anti-Government activities. She was first externed from Bengal whence she went to Sheikhupura in the Punjab to find another externment order waiting for her there.

Amarendra Nath Sarkar, student of the Benares Hindu University and an ex-detenu, was served with a notice on the 25th November to quit Benares District within 12 hours. He was released recently due to his illness.

Sjt. Chiranjilal Paliwal, M.A., President of the Delhi University Union, on the 14th December, was directed to quit Delhi Province within 24 hours.

SPECIAL CONSTABLES

A Tamluk (Midnapur) message under date November 2, states that notices asking them to act as police officers were served on Mahendranath Maity of Basudevpur and 7 others of the same Sub-division.

A notice under Section 12 of the Emergency Powers Ordinance was served on Sjt. Aditya Pada Roy, a resident of Hijaldiha directing him to act as special constable of Bankura on the 21st October, for one month.

FLOGGING ORDERS

A Cuttack message under date October 20, states that of the seven volunteers arrested at Kundrapara for picketing a foreign cloth shop, four were ordered to be given 10 stripes each and the rest 5.

FORFEITURE OF CONGRESS FUNDS

Mr. Kotawala, District Magistrate, Surat, issued a notice under date 20th October, calling upon Congress workers to surrender, before November 30, any congress funds to the nearest police station on penalty of prosecution and forfeiture. So far 42 funds traced in various villages had been forfeited by Government.

WARNING TO SCHOOL AUTHORITIES

The attention of the Director of Public Instruction, Madras was drawn to the answer books of certain candidates who appeared for the secondary S. L. C. public examination, 1932. He, thereupon, wrote "The answers indicate that the students who wrote them are giving a political turn to their answers. They show clearly that the students have not received an education of the kind which will help to fit them to assume when they grow up their responsibilities as citizens. The Director of Public Instruction further observed that it was only in a few centres and by candidates presented from only a few schools that this type of answers had been written."

He warned the managements that he was considering withdrawing recognition of such schools since he did not consider that the organisation and development of the school was by approved methods or upon approved lines.

SUPPRESSION OF TERRORISM

POSTING OF SOLDIERS

In pursuance of a Government notification, as published on page 408 of the second volume of the *Recorder*, soldiers—British and Indian, were posted at different parts of Bengal.

BANKURA

On October 8, 500 Gurkha soldiers arrived who were staying in camps on the Katjurri Danga, about two miles away from the town of Bankura. Their officers were staying in some rented buildings nearby. Towards the beginning of October, temporary houses, fitted with electric lights and fans were being constructed near the Circuit House for the accomodation of soldiers. One big over-head tank was being constructed within the compound of the Circuit House to contain enough water for the use of the soldiers.

Another Bankura message, dated 16th October, says that about 400 soldiers paraded the different roads in the town in a march covering a distance of about 5 miles.

MIDNAPORE

About 400 Indian troops arrived in Midnapore on the 14th October and encamped at the Race Course. A detachment of Gharwal soldiers stationed at Midnapore was brought to Contai for parade. They numbered about 250 and would remain in the Sub division for about a month.

That is a press message from Contai under date 19th December.

COMILLA

Troops arrived at Comilla towards the beginning of October Since their arrival they paraded the streets of the town in different batches with a European officer leading each The men of the 1/9th Gurkha Rifles were still (i.e. by 23rd October) residing in tents. The permanent quarters were fast nearing completion. The Comilla Electric Supply Co., Ltd. would supply current to these quarters.

Traffic was prohibited through Church Road, Mangle s Road and the road running by the west of the " Dharmasagar."

It was announced by beat of drums that anybody jeering or scoffing at the Gurkhas while they march through the streets of the town and the villages would be liable to criminal prosecution.

MYMENSINGH

Two more detachments of the Jat Regiment arrived at Mymensingh on the 1st November—one in the afternoon and another at about 8 p.m. The number of troops who arrived was about 400. This made the force 700 strong.

DACCA

Quite a sensation was created by the posting of soldiers at Dacca near the Hindu temple of Dhakeswari.

In this connection a deputation of the Dacca District Hindu Sabha consisting of Sjts. Rajani Kanta Das, Benoy Chandra Das and Ganesh Chandra Chatterjee waited upon Mr. R. C. Prance, I.C.S., District Magistrate of Dacca. The deputationists were cordially received and given a patient hearing.

The deputationists drew the attention of the District Magistrate to the resolution of the Hindu Sabha objecting, on religious grounds to the quartering of British troops in the close vicinity of the holy Dhakeswari Temple and reminded him of the Queen's proclamation and urged upon the authorities to shift the troops quarters elsewhere. They further added that objections were also raised by the Shevaites of the temple concerned and by the Dacca Bar Association.

In reply the District Magistrate said, among other things, that there was no other alternative left now, that the best site available was selected and that Government had spent lots of money over it and added that by putting up fencing and screen and in all other possible ways the Government would take steps to prevent any sacriligious acts.

The deputationists, before leaving, informed the District Magistrate that the proposed measures were not likely to remove the apprehensions of the Hindu public

A Munshiganj news of 22nd December states:—It is reported that in connection with the coming visit of the Dorsetshire Regiment in Bikrampur during the current winter several officers of the Regiment along with local officials recently went to the interior of Bikrampur for selection of suitable sites for temporary quarters of soldiers. It is stated that the premises and buildings of six high schools of Bikrampur have been selected for the purpose. Arrangements are being made for sinking tubewells in the selected places for supply of pure water to the soldiers. In the selected areas, it is reported private reception committees are being formed for entertainment of soldiers with tea and refreshment when they will visit the respective localities.

CHANDPUR (Tipperah)

News of December 20 states:– About 150 Gurkha soldiers, a part of the 9th Gurkha Battalion stationed at Comilla, arrived at Chandpur a few days ago. They are now touring in the interior of the Sub-Division.

CHITTAGONG

On the 4th October, some leading Hindu and Moslem citizens met the District Magistrate of Chittagong (Bengal), in the Commissioner's office.

The Magistrate explained the present situation following the terrorist outrage and the discovery of menacing revolutionary leaflets, the contents of which call for the murder of Europeans and Anglo-Indians, as also similar threats to other people including school teachers. In order to suppress the terrorist crimes, the Magistrate wanted sincere co-operation of the citizens.

The Magistrate then read out two fresh orders issued that day. The orders are preceded by an important notice in which the Magistrate says that from information received and from the decisions of the criminal cases of the last two years he believes as the leaflets shew, that there is a terrorist organisation styling itself the "Indian Republican Army, Chittagong Branch," which draws its members from Hindu "Bhadralok" youths and that the members of that organisation committed the armoury raid and the recent Pahartali outrage in Chittagong. So, for counteracting this movement, he orders Hindu "Bhadralok" youths to remain within their houses from sunset to sunrise and prohibits their using cycles. Law-abiding people unaffected by the order must see to these being obeyed and arrest and hand over any such youth seen to stir out during the prohibited hours to the nearest police or military. Conveyances by land or river are strictly warned against carrying such youths between sunset and sunrise.

The first order is to the effect that Hindu "Bhadralok" youths must keep indoors from sunset to sunrise for a period of two months from the 5th October in the Kotwali, Double-moorings and Panchalais Thanas and from the day after in Anoara, Patiya and Boalkhali Thanas.

The other order prohibits the use of cycles by the said youths in the Kotwali, Double-moorings and Panchalais Thanas from the above date and the other 3 Thanas from the day after. Both the orders were under the Emergency Ordinance with a preliminary notice and had been printed for distribution for general information.

Collective Fine of Rs. 80,000

Mr. H. J. Twynam, Chief Secy. to the Government of Bengal (offg.) has issued the following notification dated October 25, 1932:—

Whereas the events of the last two years referred to below, the judicial decisions of criminal courts and information in the possession of Government show that the outrage at the Assam-Bengal Railway Institute at Pahartali, near Chittagong, on the night of the 24th September 1932 was committed by members of a terrorist organisation, styling itself the "Indian Republican Army Chittagong Branch," and that this organisation is recruited from the Hindu "bhadralok" community of Chittagong town and district and is responsible for the raid on the Armoury at Chittagong, the murder of Inspector Tarini Mukherjee at Chandpur, the murder of Khan Bahadur Ashanullah at Chittagong and the murder of Captain Cameron at Dhalghat; and whereas it can be confidently inferred from the known facts that the preliminary arrangements for the attack on the Railway Institute could not have been made and the plan itself executed without the knowledge of a great many people ordinarily resident in the locality;

And whereas it appears further that without the connivance of the local inhabitants it would not have been possible for as many as 12 persons to assemble and carry out the raid without detection, or to escape; and that many inhabitants of Chittagong town and neighbourhood should be able to throw light on the occurrence and its perpetrators but have so far failed to communicate the knowledge or their suspicions to the authorities, in response to the communique issued by the Government of Bengal on the 29th September 1932:

Now, therefore, as there are good grounds for the belief that persons concerned in the commission of the above offences and other acts prejudicial to the public security and to the maintenance of law and order are being harboured and assisted by the Hindu inhabitants of Chittagong town and neighbourhood, the Governor in Council, in exercise of the powers conferred upon him by sub-section (1) of section 27 of the Special Powers Ordinance, 1932 (X of 1932), hereby imposes a collective fine of Rs. 80,000 on (1) the inhabitants of Chittagong who are owners or occupiers of holdings within the area of the Chittagong municipality which are assessed to municipal taxes and (2) the inhabitants of Pahartali railway colony, and the villages of Patya, Anwara, Kanungopara, Saroatali, Sakpura, Kattali and Gomdandi, subject to any other which may be passed exempting any person or class or section of such inhabitants from the liability to pay any portion of the fine.

It is further notified that in order to allow those inhabitants of the areas concerned who have recently formed watch and ward committees for the purpose of assisting the authorities in obtaining information about the movements of terrorists an opportunity of proving their good intentions, realisation of the fine will be postponed until December 1st, 1932. If in the interval information is forthcoming leading to the arrest of all or some of the perpetrators of the outrage of September 24th last, the local Government

will, on receiving the recommendations of the local officers, make such adjustment in the amount of the fine and such further exemptions in any area or in the case of any individual as the circumstances may justify.

Another Notification

In continuation of the Government of Bengal communique dated the 29th of September, 1932, on the subject of outrage at Pahartali in Chittagong on the 24th of September, 1932, and the notification dated the 25th of October, 1932, by which a collective fine of Rs. 80,000 was imposed on certain inhabitants of the Chittagong district, a Government of Bengal (Political Department) resolution dated the 5th of December, 1932, states :—

As has already been announced, Government have imposed a collective fine on Chittagong in connection with the outrage of the 24th September, but for the reasons set out in the notification of the 25th October they deferred collection until the 1st December, 1932. That date has passed, and no tangible results being as yet apparent from the action initiated by the local inhabitants and no advantage having been taken of the postponement of the realisation of the fine to assist the authorities with information likely to lead to the apprehension of the offenders, Government have no ground for further postponing the collection of the fine and the work of realisation will be taken up without delay.

It is the desire of Government, however, to encourage in every way the growth of the spirit of co-operation of which some signs have recently begun to manifest themselves in Chittagong. They have therefore decided that, while the collection of the fine must go on, the decision as to the ultimate destination of the money will be left in abeyance for the present and meanwhile the results of such efforts as may be made by the inhabitants of Chittagong to assist Government in dealing with the menace of terrorism will be observed. In the light of those results Government will consider in due course whether they would be justified in returning in whole or in part the sums already collected or applying the money to local needs instead of to the general requirements of the Province.

Refund of Fine

Again, on the 9th December, the Bengal Government issued the following communique :—

In their resolution No. 23860 P, dated the 5th December 1932, the Government of Bengal announced that, while the realisation of the collective fine imposed in Chittagong must go on, the decision as to the ultimate destination of the money would be left in abeyance for the present, and indicated that they would consider in due course whether they would be justified in returning in whole or in part the sums already collected or applying the money to local needs instead of for general requirements of the province. The District Magistrate has since been authorised to make it known that any person assessed to the payment of the collective fine who, after payment of his share of the fine, supplies information to the local authorities, or gives co-operation which in the judgment of the District Magistrate materially assists in the arrest of the perpetrators of the Pahartali raid or the arrest of any terrorist absconder in the Chittagong district or in the prevention of further outrages, shall receive a full refund of the amount of fine paid. This notice will have effect for three months from the date of issue. Every precaution will be taken to prevent disclosure of the identity of the person giving the information, and he will not be called upon to give evidence in Court unless he consents to do so.

Bengal Terrorist Outrages Act

An Extraordinary issue of the Calcutta Gazette issued on Friday, December 2, 1932, states:—

In exercise of the powers conferred by section 18 of the Bengal Suppression of Terrorist Outrages Act, 1932 (Ben. Act XII of 1932), the Governor in Council is pleased to make the following rules:—

1. These rules may be called the Bengal Suppression of Terrorist Outrages Rules, 1932.

2. In these rules, unless there is anything repugnant in the subject or context:—

(a) "military officer" means a commissioned military officer.

(b) "police officer" means a police officer enlisted under the Police Act, 1861, and includes a police constable and any member of the Eastern Frontier Rifles or the Assam Rifles.

(c) "terrorist" means a person who—(i) is a member of an association of which the objects and methods include the commission of any scheduled offence, or the doing of any act with a view to interfere by violence or threat of violence in the administration of justice, or (ii) has been or is being instigated or controlled by a member of any such association with a view to the commission or doing of any such offence or act, or (iii) has done or is doing any act to assist the operations of any such association.

3. (1) No person shall communicate, directly or indirectly, with an absconder or terrorist or supply him with food, water, arms, clothing or any other article or assist him in any way.

(2) No person shall collect any money, valuables or other articles for the purpose of assisting any absconder or terrorist.

4. (1) Any person who sees an absconder or terrorist or has any information of the movements or whereabouts of any absconder or terrorist or of any communication or means of communication with an absconder or terrorist shall forthwith give full information thereof to the nearest Magistrate, military officer or police officer.

(2) Any person who is aware of the presence in his locality of any stranger shall forthwith report the fact to the nearest Magistrate, military officer or police officer.

5. Every person shall be bound to supply, to the best of his ability, any information which any Magistrate, military officer or police officer may require regarding the movements or whereabouts of absconders or terrorists.

6. Every military officer and every police officer not below the rank of an assistant sub-inspector or, in the case of the Eastern Forntier Rifles and Assam Rifles, of a jamadar, shall have the power to intercept telegrams, telephone messages, letters, postcards and parcels whenever he considers it to be necessary for the purpose of preventing communication with absconders or terrorists or for the purpose of securing the safety of the military and police forces.

7. (1) If in the opinion of the District Magistrate it is necessary for the prevention of interference with the measures taken for the suppression of the terrorist movement, he may, by an order in writing, prohibit any person who does not ordinarily reside within an area of the district specified in the order from entering, or remaining in, the said area without a permit granted by an authority specified in the order, who may impose such conditions as he thinks fit.

(2) An order made under sub-rule (1) shall be served on the person against whom it is made in the manner provided in section 134 of the Code of Criminal Procedure, 1898.

8. No unauthorised person shall wear the uniform or equipment of His Majesty's military or police forces or similar clothing in any way resembling such uniform.

9. Every person shall forthwith communicate to the nearest Magistrate, military officer or police officer any information which he may obtain respecting any matter likely to affect the safety of the military or police forces.

10. Every member of the military and police forces shall have the power to stop and search any person whom he may suspect of carrying information intended for absconders or terrorist or of carrying any arms, ammunition, or explosives, or of carrying any tools, machinery, implements or other material of any kind likely to be used for the commission of any scheduled offence.

11. When any military officer, gazetted police officer (above the rank of inspector) or Magistrate of the first class, conducting the search of any place for absconders or terrorists, has reasonable grounds for believing that an attempt to approach and enter the place to be searched will endanger the lives of the search party, he may, after taking all reasonable precautions for the safety of innocent persons, use any and every means necessary to ensure the safety of himself and his men when approaching and entering the place for the purpose of the search.

12. Any person who has any knowledge of the whereabouts of any unlicensed arms, ammunition, or explosives or of any tools, machinery implements or other material of any kind likely to be used for the commission of a scheduled offence shall forthwith report the fact to the nearest Magistrate, military office or police officer.

13. No person shall in any way impede or attempt to impede, or incite any person to impede any member of the military or police forces acting under Chapter I of this Act.

14. Any person knowing of any attempt or design to damage any military police or public property shall forthwith report the matter to the nearest military or police officer.

15. No person shall endeavour to elicit information regarding the military or police forces from any member of such forces or from any person in the employment of Government.

16. Any person found in possession of any publication, leaflets or paper containing any incitement to murder or violence or any matter in support of the terrorist movement shall be deemed to have committed an offence under these rules.

17. (1) Any person who contravenes any of these rules shall be punishable with imprisonment which may extend to six months or with fine or with both.

(2) Any person who contravenes an order made under sub-rule (1) of rule 7 shall be deemed to have committed an offence punishable under sub-rule (1).

Rules for Chittagong

In exercise of the powers conferred by section 18 of the Bengal Suppression of Terrorist Outrages Act, 1932 (Ben. Act XII of 1932), the Governor in Council is pleased to make the following rules, in addition to the Bengal Suppression of Terrorist Outrages Rules, 1932.

These rules will apply to the district of Chittagong only:—

1. The District Magistrate may, for the purpose of preventing the movements of and communication with absconders or terrorists, direct by an order in writing, the inhabitants of any area specified in the order to remain within their houses between sunset and sunrise on the day or for the period specified in the order.

2. The District Magistrate, if in his opinion, it is necessary for the purpose of preventing communication with absconders or attacks on the persons or property of His Majesty's subjects, or securing the safety of His Majesty's forces or police, may, by an order in writing, direct the inhabitants, or any class or section of the inhabitants, of any area specified in the order, to remain for a specified period not exceeding one month within the houses or homesteads in which they normally reside.

3. The District Magistrate for the purpose of preventing communication with absconders or terrorists or for the purpose of restricting their movements, may, by order in writing, control, in such manner as he considers necessary, in any area specified in the order, all traffic or any particular form of traffic and prohibit in such area any person or class of persons from travelling or being carried by any particular routes or forms of transport or by any route or form of transport.

4. The District Magistrate may, for the purpose of preventing the movements of, or communication with absconders or terrorists, direct, by an order in writing, that any person or any class or section of the inhabitants of any area specified in the order:—

(a) shall reside or remain in any area specified in the order,
(b) shall not enter, reside or remain in any area specified in the order,
(c) shall remove from and shall not return to any area specified in the order,
(d) shall conduct himself or themselves in such manner, abstain from such acts, or take such order with any property in his or their possession as may be specified in the order.

5. Any person who contravenes an order made under these rules shall be punishable with imprisonment which may extend to six months or with fine or with both.

Co-operation of Citizens

To discuss practical methods for coping with the menace of terrorism, a meeting of the citizens was held at the instance of Rai Bahadur Kaminikumar Das and Moulana Manirazzaman Islambadi on October 18. It was decided to sub-divide the five Municipal wards into thirty sub-wards each having a committee of ten or more whose duty would be to trace the terrorists and carry anti-terrorist propaganda and watch all Hindu youths of the sub-wards. Hindu youths when they are found to go astray will be asked to correct themselves and their guardiance also will be communicated of this. Failing this the authorities will be informed. The Divisional Commissioner and the District Magistrate approved of these suggestions.

Then again, under the auspices of "Chittagong Terrorism Suppression Committee" sponsored by local Municipal Commissioners and other leading citizens, efforts were progressing to counteract terrorist activities in Chittagong. The Central Committee with its president, Rai Bahadur Satis Chandra Sen, Vice-Presidents Rai Bahadur Kamini Kumar Das and Maulana Manirajan Islamabadi, and Joint-Secretaries Maulvi Nur Ahmed, Chairman of the Municipality, and Mr. Nalini Kanta Das, Municipal Commissioner, had been functioning through thirty sub-wards in five municipal wards, each with a committee of its own.

Municipal Commissioners' Appeal

When the notice of collective fine was promulgated, the Chittagong Municipal Commissioners at a meeting adopted resolutions viewing with consternation and helplessness the Government decision to realise collective fine of Rs. 80,000 only from Hindus at a time of present economic crisis and financial distress, inspite of the fact that public opinion in Chittagong had already been educated to an appreciable extent against terrorist activities

and that practical efforts were being made to secure apprehension of terrorists at large. The Government were implored to postpone realisation of fine for further three months in consideration of the activities of the Terrorist Suppression Committee which will receive a setback if the people be penalised at this stage inspite of their 'bona fide' efforts to suppress terrorism.

Public Appeal

A public meeting held on the 16th December Rai Bahadur S. C. Sen, Government pleader, presiding, adopted a resolution expressing people's grievances about collective fine, condemning terrorist activities, opining that the imposition of fine was a disastrous set-back to anti-terrorist public opinion and humbly imploring the Governor for revocation of imposition, thereby to help the distressed Hindu population, already affected by economic depression plus last year's loot. A copy of the resolution was wired to the Private Secretary to His Excellency the Governor. The deputationists present in the meeting were advised to implore His Excellency the Governor accordingly.

A memorial signed by a large body of persons and praying of remission of collective fine, to the Governor, was sent through local authorities by the 14th of December.

Realisation of Fine

The realisation of collective fine commenced on the 19th December. Three Executive Officers received payments of fine in the town while some officers collected the same from the villages concerned.

A Deputation to Wait on the Governor

A deputation of the leading citizens of Chittagong left for Calcutta on the 15th December. It consisted of Mr. S. L. Khastgir, Barrister, Babu Nagendra Nath Rai Chaudhuri, zemindar, Babu Prasanna Sen, merchant, Babu Jogendra Guha, vice-chairman of the Municipality and Babu Rasik Hazari pleader. The deputationists along with Rai Bahadur Kamini Kumar Das, Mr. Bodi Ahmed and Mr. Nurul Afsar, Chittagong members of the Bengal Council, and Babu Chandra Sekar Sen, Advocate, High Court, waited upon His Excellency the Governor of Bengal on the 17th at the Government House, Calcutta.

THE MEMORIAL

Guardians Unaware of Plans

Among other points mentioned in the memorial were:—

"That it is known to the public now as will be found in the judgment of the Armoury raid case that even the guardians of these young offenders were unaware of what they were doing while they were making preparation for committing the offence or even that they had organised themselves into a dangerous band for committing violent offences.

"That in very few cases where the guardians had come to suspect something unusual or abnormal in the conduct of their wards they had found that these young persons were completely out of their control and had no sympathy or affection for their guardians including their parents and would not care at all even if serious misfortune befell their guardians on account of their criminal acts.

Police Informed

"That in some of the above cases the guardians being extremely afraid had even informed the police officers that they believed that their wards

were going astray. It was not possible, however, at that stage, with such a vague idea about their doings either for the police or their guardians to know their motive or mode of action, and to be able to take any effective step in the matter.

"That the political offenders in this district are in almost every case apprehended by the police owing to information supplied by the people of the locality where they have been detected that there is nothing to show that the respectable and responsible people of the district had the least knowledge about the movements and whereabouts of these persons, not to speak of any possibility of their sympathising with or harbouring persons who had been instrumental in bringing untold misery upon the innocent people that in cases where the terrorists absconding or otherwise were found in the houses of persons, it came out in evidence in the criminal cases in connection therewith that the places were absolutely secluded, the owner being a person without any connection, social or otherwise, with the respectable gentlemen occupying neighbouring houses who according to the investigating police officers were ignorant of the existence of these absconding terrorists in the house of such person.

"That it is certain that these offenders do not stay in Chittagong as will be apparent from the fact that many of the offenders in the Armoury Raid Case were arrested in places very far from Chittagong District.

People's Co-operation

"That the people lost no time in organising Watch and Ward Committees for combating the spirit of terrorism in the land, and Your Excellency's humble memorialists gratefully acknowledge the kind consideration with which their sincere efforts were treated and the realisation of the collective fine suspended. It would be realised that the terrorists are people so cunning and desperate and so well organised with accomplices all over India, that ordinary people not trained in police methods and not possessing arms or necessary physical courage to tackle desperate offenders always carrying firearms with them are quite incapable of apprehending them.

"That the memorialists beg humbly to submit that the Hindu population of this ill-fated district within and outside the Municipality sustained an extremely severe loss by the looting on the 31st August 1931.

"That in addition to the trade depression resulting in the reduction in income the Hindu population of the town and some villages have not yet been able to recover from the effects of the loot of August, 1931, mentioned above and dislocation of trade, commerce, profession, etc., the imposition of the heavy collective fine will be an unbearable strain on the dwindled resources of the people.

"That most of the people of Chittagong town who have their permanent residence in villages have already paid additional punitive tax twice to the extent of about Rs. 80,000 with considerable difficulty.

"That in these circumstances Your Excellency's humble memorialists are greatly distressed to find that arrangements for realisation of collective fine are in progress and beg most humbly to approach Your Excellency for a patient and indulgent review of the whole situation."

GOVERNOR'S REPLY

His Excellency said that he recognised that they had come a long way to submit their representation and he had been anxious to hear every consideration which they could submit in support of their memorial. He had listened very carefully to the case that had been put forward by Mr. Khastgir and his colleagues.

Mr. Khastgir had referred to the fact that till recently Chittagong had enjoyed a good reputation as a law-abiding locality. He would not seek to traverse that position, but he felt that that contention was hardly relevant to the matter under discussion. The state of things with which they were concerned that morning came into being some two and a half years previously with the Armoury Raid. Mr. Khastgir had rather suggested that outrages in Chittagong had not been numerous as compared with outrages in other districts. He supposed that the implication intended by Mr. Khastgir was that Chittagong should not have been selected by Government for special treatment. But what were the cold facts!

Armoury Raid

Prior to April 1930 Bengal had for some time been clear of outrages. As a result the policy of Government had been to allow the B. C. L. A. Act to lapse and in pursuance of that policy those who were then detenus had been released. On the 18th of April, 1930, there occurred the Armoury Raid. The judgment in that case was very illuminating. The earlier pages described graphically the state of things existing in Chittagong immediately before the raid. Ex-detenus from Chittagong were shown to have been active in the town and district, gathering round them bodies of young men who were observed by their guardians to be neglecting their studies on that account indulge in open drilling, and running a physical culture institution of so suspicious a character that leading gentlemen of the town had felt obliged to dissociate themselves from it. All this had been happening inside the Hindu community at Chittagong. It was true that some guardians had approached the police about their wards but the fact remained that there was an organisation actively at work in their midst before the raid took place.

As regards the raid itself he would emphasise that the raid was organised in Chittagong itself and that persons connected with Chittagong, not necessarily in every case by origin but by close association, played the leading parts. That raid had been the signal for a new outbreak of terrorism extending throughout Bengal.

Harbouring Absconders

It had been stated by Mr. Khastgir that the persons who took part in the raid, apart from some who were arrested there and then, had been arrested, if at all, in districts other than Chittagong and Mr. Khastgir had sought to draw the inference that the absconders had all fled completely from the Chittagong District and that there had been no harbouring of absconders by the people of that district. That view was not accepted by Government and it did not square with the known facts. People were arrested elsewhere, because people elsewhere gave information, because the absconders were not at home in other districts as thy were in Chittagong but were strangers. It was incontrovertible that numbers of the absconders had remained in Chittagong, off and on at least if not continuously. The house at Dhalghat had been used as a refuge intermittently for two years. It was a regular resort and he thought he was right in saying that the murder of Ashanullah was planned there. The fact that the absconders used it as a resort could not but be known to the people of the neighbourhood. Nor was that the only case of harbouring: another raid, at a different place, was made just before the Dhalghat raid but the police arrived just too late to arrest a well-known absconder. In fact information in the possession of Government went to show that there were numerous instances of absconders being sheltered but in most cases when the police arrived to search the bird had flown.

Supply of Provisions

It was not however merely a question of harbouring the leaders, though in passing he would say that people could not live in jungles all the year round, especially in the rains, and it was clear that shelter and food were being provided. It was not merely a question of harbouring but that a great body of young people were making themselves available to assist the absconders in other ways. Arrests in Chittagong would have been successfully effected, as they were effected elsewhere, but for an information system among young people who were not themselves committing outrages.

How also, he must ask them, could they account for the posting up of leaflets all over Chittagong? This was done by the young men of the town: it could not be suggested that young men have been sent in from outside to carry out the widespread distribution of revolutionary leaflets that took place at the time of the Pahartali outrage. Without the help supplied in these various ways the absconders would not have enjoyed comparative immunity for so long.

"Unenviable" Position

Government, in fact, did not accept the view that Chittagong in no way differed from other districts in the Province. Chittagong had attained a most unenviable pre-eminence. It was better and he said this in no unfraiendly way—that the Hindus of Chittagong should frankly recognise this fact. The mischief, so far from spreading 'into' Chittagong from elsewhere, had spread out of Chittagong to the rest of Bengal. The leaders in Chittagong had used the prestige secured by their successful evasion of arrest to incite young men to commit outrages elsewhere.

He would not emphasise the desperate nature of the crime of Ashanullah's murder or the cowardice and barbarity of the Pahartali outrage, though in passing he would say that considering the harmless character of the people who used the Institute there could have been no reason for anticipating an attack on it or providing a guard. He would pass to another aspect of the case. What had the well-disposed section done?

Charge of Non-Co-Operation

In the view of Government the record of Chittagong in that respect was very far from satisfactory. He was afraid they had been content to sit with folded arms while these things had been happening in their midst, not realising their duty to help the authorities or the menace to the Province as a whole and to their own peace and security which such things involved. When he had visited Chittagong the previous August he had devoted a substantial part of his reply to their addresses to this very question of co-operation. That, he would repeat, was in August. The Pahartali outrage took place in the latter part of September. Had they done anything in the meantime to act upon the appeal which he had then made for co-operation,—an appeal to which they had referred in the memorial just submitted?

It had been argued that they work at work and were setting up committees and should therefore be given more time; no doubt such things took time but the trouble was that they had been so slow in starting.

Exceptional Step

Immediately after Pahartali outrage Government had announced that a fine was going to be imposed. In a recent public speech he had said that Government were not keen on the collective fine as a method and that they realised the inequalities of treatment almost inevitably involved and the rough and ready character of the instrument. In the case of the Chittagong fine Government had taken a quite exceptional step,—and one which had

been criticised in some quarters as a mark of weakness,—in deciding to suspend collection of the fine to afford an opportunity to the locality to redeem itself. Collection had been suspended until as late as the beginning of December to allow opportunity for the development of that new spirit which the memorialists had said was manifesting itself and which Government would always welcome. But Government must judge by deeds rather than words. Government required results. In the absence of these Government had announced their decision that the time had come to collect the fine. Even so they had decided on a course not previously taken, he believed, in any similar case. They had decided to treat the payments in a very special way so that if results were forthcoming during the next three months remission could still be made.

That was as far as Government could go. Government would rather have their help than their money. If results were forthcoming they would not find Government unsympathetic or lacking in consideration. Government recognised their difficulties and their suffering. Immense and widespread loss and suffering had however been caused by the movement which had started with the Armoury raid two and a half years before. The Province had been involved in a vast expenditure, necessary but from the point of view of progress and development completely unproductive and sterile. The province as a whole the entirely law-abiding parts along with the rest —was paying for that, paying for the activities of the revolutionaries. It was not wholly inappropriate therefore that Chittagong should bear some extra burden in relief of the Province as a whole.

But although he said that, and although that was his feeling, he would at the same time emphasise that nothing would please Government more than to be able to believe that the state of Chittagong justified the remission of the fine.

He was afraid that that was all that he could say to them.

Asked whether in that case the fine could be paid by instalments, His Excellency said that Government could not accede to such a request but that local officers would no doubt show consideration in any individual case where they were satisfied that there was genuine inability to pay.

OTHER OFFICIAL MEASURES

Other official measures may be classified under different heads.

COLLECTIVE FINE

Besides the collective fine of Rs. 80,000 imposed on Chittagong people, The Calcutta Gazette of the 1st December states: Whereas it appears to the Governor in Council that the inhabitants of villages Chuknan, Nar Daulatput, Dalbar, Attattar in Union No. I, Babuia, Deh Kasimpore in Union No. II, Mokrajpore in Union No. III and Nandapore in Union No. IV within the jurisdiction of Nandigram police-station in the district of Midnapore are concerned in the commission of offences and other acts which are prejudicial to the maintenance of law and order and are harbouring persons concerned in the commission of such offences and acts:

Now, therefore, in exercise of the powers conferred by section 27 (1) of the Special Powers Ordinance, 1932 (Ordinance X of 1932), the Governor in Council is pleased to impose a collective fine of Rs. 2,000 only on the inhabitants of said villages subject to any order which may be passed exempting any person or class or section of such inhabitants from the liability to pay any portion of the fine.

The same Gazette announces, in a similar way, the imposition of another sum of Rs. 1,000 on the inhabitants of villages Chak Simulia, Mahishgote, Rajarampore and Bar Bomchberia within the jurisdiction of Mahishadal police station in the district of Midnapore.

Another notice under date 21st December states that the Government of Bengal have imposed collective fines of Rs. 350 on the inhabitants of the village of Hijalberia in the jurisdiction of the Police station in Tamluk, and Rs. 300 on the inhabitants of the village in the jurisdiction of Dundipur police station in Sutahata, both in Midnapur District, as in the opinion of the Government, the inhabitants of these villages were concerned in the commission of offences prejudicial to the maintenance of law and order.

Nearly five thousand villagers from Nandigram Thana have left their hearths and homes and migrated to Sunderbans to avoid punitive tax imposed on them.

HOUSE OWNER TO SUPPLY INFORMATION

A Calcutta Gazette extraordinary issued on Friday (December 23,) states:—

In exercise of the powers conferred by section 18 of the Bengal Suppression of Terrorist Outrages Act, 1932 (Bengal Act XII of 1932), the Governor in Council is pleased to make the following amendments to the Bengal Suppression of Terrorist Outrages Rules, 1932, published under notification No. 23520P., dated the 2nd December, 1932, namely:—

After rule 5 of the said Rules, the following rule shall be inserted, namely:—

5A. Every owner or occupier of a house shall be bound to supply any information which any police officer may require regarding the inmates of the house and, if the District Magistrate by special or general order in writing so direct, shall report without delay to a specified police officer such information regarding persons arriving at or leaving the house as the District Magistrate may direct.

In supersession of notification No. 24176P., dated the 6th December, 1932, published in the Calcutta Gazette of the 8th instant, and in exercise of the power conferred by sub-section (1) of section 3 of the Bengal Suppression of Terrorist Outrages Act, 1932 (Bengal Act XII of 1932), the Governor in Council is pleased to authorise the following officers to exercise the powers conferred by the said sub-section, namely:—

(1) All Magistrates; (2) All commissioned military officers; (3) All police officers not below the rank of an Assistant Sub-Inspector or head constable or, in the case of the Eastern Frontier Rifles, of a lancenaik; and (4) All military non-commissioned officers.

CURFEW ORDER

Curfew order was promulgated at Comilla by the District Magistrate prohibiting more than two persons remaining outside after 9 p.m. Any person disobeying the order would be fined Rs. 50. Riding of two persons on bicycles was also prohibited.

TEMPORARY VACATING OF HOUSES

Inhabitants of Bankati and several other villages in the neighbourhood of Bankura, are reported to have been served with notices to vacate their houses temporarily so as to avoid the dangers that may follow the practice of military games by soldiers stationed in this district.

ARRESTS & INTERNMENTS

DACCA.

A report from Dacca dated, the 11th November states that Fanindra Kumar Goswami, 'alias' Fulu, who was reported to have been arrested

sometime ago at his village where he was home-interned under section 302 I.P.C. and 120-B, was produced before Mr. S. N. Chatterji, Sub-Divisional Officer, Dacca, on November 9 last and discharged.

He was, however, immediately rearrested under the Bengal Criminal Law Amendment Act.

BERHAMPORE

Sunil Kumar Ghose of Berhampore was served with a notice dated, October 18 requiring him to abstain from associating with terrorist activities.

He was also asked to report himself daily at the Police Station at 4 p.m. and not to leave the municipality without permission in writing.

COMILLA

Sj. Nikunja Behari Ghosh of Abhoy Asram was served with the following notice dated Comilla, the 19th October, under sections 4 and 22 of the Special Powers Ordinance, 1932:—

"For the period of one month from the date of this order, Nikunja Behari Ghosh shall reside at Abhoy Asram, shall remain in his quarters from sunset to sunrise and shall report himself in Kotwali Police Station before the officer-in-charge at 8 a.m. and 5 p m. daily. He shall not receive visitors for political discussion. He shall refrain from taking part in the organisation of participating any picketing, boycott, hartal or public meeting or in any public places or in a place where five or more persons have collected and shall neither himself act nor encourage nor assist any other persons in any way to act in a manner prejudicial to the public safety or peace.

"He shall not deliver any letter or any written paper to anyone or to the post office or to other addresses without first showing them to the officer-in-charge of Kotwali P. S. District Tippera for censorship. He shall not allow himself or any inmates of the Asram to receive or to take out any letter or printed or written papers or any packets, any parcel or any consignment of goods or any article to and from Asram without producing them before the officer-in-charge, Kotwali P. S. for inspection.

"On his way to thana and back he shall not have any talk with any public or passerby and shall not loiter in the town. In attending thana he shall travel by Dolipara Road and by west bank of Nanua Dighi.

"He shall not allow any outsider to enter into the Asram compound between sunset and sunrise for any purpose without the permission of the officer-in-charge, Kotwali P. S., District Tippera. He shall not permit himself or any inmates of the Asram to come out from the Asram at any hour of the day and night or to return there without being searched by the police.

"The officer-in-charge of Kotwali P. S. is hereby authorised under section 16 of the Ordinance X of 1932 to take such steps as may be necessary to ensure that the above conditions are being observed."

SOME ALL-INDIA MEASURES

In connection with All-India measures adopted by the Government towards the suppression of Civil Disobedience movement or terrorist activities, the following news is of interest:—

Chamanlal, one of the three accused in the Punjab Governor shooting conspiracy case, who was recently externed from the Punjab immediately after release from confinement, was served with a notice under the Special Powers Ordinance by the Frontier Government interning him in his home in Mardan tahsil, district Peshawar, and directing him to remain within 30 yards of his residence, from October, 31.

POLICE RAID IN DELHI

On October, 26 the police seized a number of busts of Bhagat Singh. The police produced one Ramachandra, a Pressman before the court that-

day, with the request that the latter be released on his finding a surety of Rs. 10,000 and on his furnishing a personal bond for good behaviour for Rs. 5,000. It was alleged by the police that the man had been harbouring revolutionaries, whose main purpose was to kill officials and bring the present Government to an end. It was also alleged that some of the property of the revolutionaries was recovered from the house of the person, when arrested. Ramachandra on the other hand, stated he had been under police custody for over a month.

DEOLI CAMP ENLARGEMENT

The Hon'ble Mr. H. G. Haig, Home Member, was leaving Delhi on December, 8, for a short visit to Ajmer in connection with the question of enlargement of the Detenus Camp at Deoli, which had been under consideration of the Government of India for sometime.

ARREST WITHOUT WARRANT

A Gazette Extraordinary announces that the Governor-in-Council has authorised every District Magistrate, including the Commissioned of Police, Bombay, every District Superintendent of Police, the Superintendent of Police, G. I. P., M. and S. M. and B. B. C. I., Railways, and the Superintendent of Police, (C. I. D.), Sind, to exercise, throughout the Presidency of Bombay the powers under Sub-Section (1), Section three of the Bombay Special Emergency Powers Act, 1932, of arresting without warrant any person, in respect of whom such officer was satisfied that there were reasonable grounds for believing that such a person had acted in a manner prejudicial to public safety.

RETRENCHMENT PROPOSALS

BENGAL COMMITTEE REPORT

READERS of volume I of the *Recorder* will find on p. 62 that the Bengal Retrenchment Committee was appointed by virtue of a resolution in the local Council in April last.

The following were the members of the Committee: Mr. J. A. L. Swan, C.I.E., I.C.S., (Chairman), Mr. J. N. Basu, M.L.C., Mr. H. Birkmyre, M.L.C., and Khan Bahadur Moulvi Azizul Huq, M.L.C.

The terms of reference to the Committee were as follows: "To review the expenditure of the Government and make recommendations as to any economies which in their opinion might reasonably be affected in view of the present financial situation."

Memoranda submitted in this connection are incorporated in the previous issues of the *Recorder*. The Committee's report was released for publication on the 11th November, 1932. It was signed subject to the notes by two members, Mr. J. N. Basu and H. Birkmyre.

The Committee proposes retrenchments in the various departments of the Government which if accepted, they hope, would lead to an ultimate saving of Rs. 1,84,96,000. The Committee points out that the general recommendations regarding all-India services are those of the three non-official members and the Chairman does not take part in them.

GENERAL OBSERVATIONS

The Committee makes the following general observations: "Some of our recommendations can only take effect gradually, in particular to those relating to the pay of Govt. servants, and it is clear to us that retrenchment alone cannot place the province in a position of solvency. Nor will further taxation provide a solution. Existing taxes cannot be increased, and from a perusal of the Federal Finance Committee's Report it is clear that new sources, if any can be found, are likely to yield comparatively little revenue. Bengal must therefore look for relief to an equitable revision of the financial settlement. We need not discuss the recommendations of the Federal Finance Committee. These if accepted would perpetuate the present position, but we trust that the representation which the Government of Bengal have made will command attention and that, on the introduction of the new constitution, Bengal will be given a revenue commensurate with its wealth and its needs.

"Many of the recommendations which we make will to some extent impair the efficiency of the departments affected, but we consider that, in the present circumstances, the province must be satisfied with a somewhat lower standard. We have endeavoured to frame our proposals in such a way as to avoid revolutionary changes in the existing system of administration.

Such changes would, in our opinion, be unwise on the eve of important constitutional reforms."

The following is a summary of the concrete proposals for reduction on the main heads of Administration:—

REDUCTION OF GOVERNOR'S CABINET

Referring to the Governor's Cabinet the Committee says that in the present circumstances and under the existing constitution the Governor should be able to carry on with a Cabinet of five on a salary of Rs. 4,000 per month each.

COUNCIL PRESIDENT'S SALARY

The pay of the President of the Bengal Legislative Council which is at present Rs. 3,000 should be fixed at Rs. 2,500 per month and the office of the Deputy President should be an honorary one.

REDUCTION IN THE SECRETARIAT

Dealing with the question of reduction in the Secretariat the Committee says: "We are of opinion that it is not advisable to appoint heads of departments as Secretaries to Government, and that Members and Ministers are entitled to the independent advice which the present system provides. We think however that the number of Secretaries can without loss of efficiency to reduced from 8 to 6. The following distribution of work appears to us to be feasible: (1) Political, Appointment and Jails, (2) Finance and Commerce, (3) Education, Agriculture, Industries and Excise, (4) Revenue, Forests, Irrigation and Public Works, (5) Local Self-Government, Medical and Public Health and (6) Legislative, Judicial (and Legal Remembrancer)." Instead of four Deputy Secretaries the Committee has suggested three. In the place of ten Assistant Secretaries the Committee recommends that there should be seven in all. In the whole of the Secretariat, in place of 32 Head Assistants, the Committee suggests the reduction of the number to 21. The number of Stenographers in the Secretariat has been recommended to be reduced from 20 by about a third.

SUMMER RESIDENCE

Referring to the question of hill exodus the Committee recommends that of the two visits to Darjeeling, the second should be abandoned altogether. The Committee, however, thinks that the Members, Ministers and Secretaries must accompany the Governor to Darjeeling with sufficient staff to deal with urgent matters. But no Deputy Secretary, Under-Secretary or Assistant Secretary need accompany the Government except one Under-Secretary or Deputy Secretary in the Political Department who is required for the deciphering of telegrams and is responsible for the safe custody of the codes.

GOVERNOR'S HOUSEHOLD

Under the head "Staff and Household of the Governor" the Committee has recommended the maintenance of the present strength of the Governor's Body Guard but has suggested that the Commandant of the Body Guard need not in future be an officer of higher rank than a senior captain. The services of a whole-time surgeon to the Governor has been recommended to be dispensed with. As regards the cost of the Governor's special train economies should be effected by attaching the Governor's saloon to ordinary mail trains. The band establishment has been reduced from one director and 20 musicians to one director and 12 musicians.

DIVISIONAL COMMISSIONERS

While recommending the retention of the posts of Divisional Commissioners the Committee thinks that their number can be reduced from five to three.

INDIAN CIVIL SERVICE

After pointing out that the Indian Civil Service provides for 101 superior posts, of which 46 are in the Judicial Branch, the Committee opines that the Judicial Branch should in future be recruited direct from the Bar and by the promotion of selected Sub-Judges. Of the 55 superior posts left in the Executive Branch the Committee recommends the abolition of 2 posts of Divisional Commissioners, two posts of Secretary, two posts of Settlement Officers, thus leaving 47 superior posts. The Committee assumes that half of these posts will be filled by Europeans for a considerable time to come. There will then remain about 24 posts for Indians, of which 8 are at present 'listed,' that is, open to members of the Bengal Civil Service. The Committee recommends that in future 10 posts should be "listed." It has

been suggested that there need not be separate recruitment of Indians merely for the remaining 14 posts and that all the 14 posts should be filled by promotion of Bengal Civil Service officers. But the Committee are unable to accept this proposal and are in favour of direct recruitment.

Opining that there is no justification for the present high rates of basic pay given to members of the Indian Civil Service the Committee recommends the basic scale of Rs. 373 as starting salary ending with Rs. 1,500, only officers in the Commissioner's rank getting a maximum salary of Rs. 2,400. But sufficient over-seas pay has been recommended to be allowed to European members of the Service to attract recruits of the type required.

BENGAL CIVIL SERVICE

Regarding the amalgamation of the Bengal Civil Service and the Bengal Junior Civil Service the Committee think that amalgamation is not possible without an increase of cost. The present cadre of the Bengal Civil Service has been recommended to be reduced from Rs. 332 to about Rs. 200 excluding those holding listed posts and the salary of the cadre is to range from Rs. 200 to Rs. 750.

In the Bengal Junior Civil Service the strength of Circle Officers, numbering 201 at present, has been recommended to be reduced to half. The Committee, however does not recommend any reduction in the scale of pay of the Bengal Junior Civil Service which is Rs. 150 to Rs. 400 with a selection grade at Rs. 450. The Committee, however, thinks that the future cadre of the Bengal Junior Civil Service should be fixed at 400.

The Committee does not recommend that economies should be affected by the amalgamation of districts.

The total savings suggested under the head General Administration is Rs. 17,69,500.

JUDICIAL DEPARTMENT

To dispose of a great volume of unimportant and routine work in the civil courts the Committee suggests the creation of a service of Assistant Munsiffs on a pay of Rs. 150 to Rs. 250, the strength of this new cadre not exceeding Rs. 75, thus enabling the strength of the permanent Munsiffs to be brought down from 300 to 225. All Munsiffs are to be appointed by promotion from the Lower Service. The pay of the Judicial Services has been considered to be unnecessarily high and the Committee has recommended a scale of Rs. 275 to Rs. 600 for Munsiffs and a scale of Rs. 650 to Rs. 800 for Sub-Judges. The pay of District Judges who should be appointed partly by promotion from among the Sub-Judges and partly by direct recruitment from the Bar, should be fixed at Rs. 1,000 to Rs. 1,600.

A reduction in the scale of pay of the Small Causes Court Judges has been recommended.

POLICE BUDGET

The Committee is opinion that considerable economies can be effected in the Police budget without materially reducing the efficiency of the force. The Committee recommends that of the two assistants to the Inspector-General of Police one of them should be an officer of the rank of assistant Superintendent or Deputy Superintendent of Police. The number of Deputy Inspector-General of Police which is at present five has been recommended to be three. The number of permanent Additional Superintendent of Police which is at present ten has been recommended to be reduced to five. The amalgamation of the River Police and the Railway Police with the General Police has been recommended. While opining that the Criminal Investigation Department should be retained as a Central Department, the Committee recommends the abolition of the district detective departments which have been started in six districts of the province. With reference to the Intelligence Branch the Committee says that the nature of the work of the Branch

is such that it is impossible to estimate the staff required from a mere examination of statistics. The Committee have been informed that a senior officer of the Indian Civil Service has recently made a full enquiry into the matter and that so far from any reduction being possible, an increase of staff is urgently required. "With the question of increase," the Committee states, "we are not concerned but we recognise that in the present circumstances no retrenchment is possible nor can we recommend any reduction at present in the strength of the military and armed police." The abolition of the post of Deputy Superintendent of Police by stoppage of recruitment is recommended. The Committee has recommended that the future scale of pay of the Indian Police Service should be Rs. 300 to Rs. 650 for the junior scale and Rs. 600 to Rs. 1,250 for the senior scale. A suitable over-seas allowance should be given to European officers.

CALCUTTA POLICE

As regards the Calcutta Police the Committee has come to the conclusion that except in the Armed Police it is not possible to effect any reduction in the lower ranks of the force. The number of Deputy Commissioners of Police is recommended to be reduced from 7 to 4 and that of Assistant Commissioner of Police from 10 to 7. The savings suggested in the Bengal Police is Rs. 7,46,800 and those in Calcutta Police is Rs 3,05,200.

EDUCATION

Reduction by 5 per cent in the annual grant to the Calcutta and Dacca Universities has been recommended.

That the pay of the D. P. I. should be increased from Rs. 1,200 to Rs. 1,2500. That class I educational services should draw a pay of Rs. 600 to Rs. 1,000. The Provincial Education Service shall draw from Rs. 200 to Rs. 600. That all allowances drawn by Principals of Colleges should be abolished. The post of Additional D. P. I. be abolished. That posts of all Additional and Second Inspectors of Schools be abolished. That all Sub-Divisional Inspectors of Schools be abolished. The number of Sub-Inspectors of Schools be reduced to 100. The post, of the Chairman of the Board of Secondary Education, Dacca, be abolished.

The Committee has decided against deprovincialisation of colleges but has recommended such a measure in the case of schools, only in those districts where the number of Government Zilla Schools is more than one.

AGRICULTURAL DEPARTMENT

That the posts of Agricultural Engineer and Assistant Director of Agriculture be abolished. That all farms should be closed, excepting 6 important farms. The number of cattle farms be reduced from 2 to 1. The post of the Live Stock Expert be abolished and the same work done by the Veterinary Advisor.

INDUSTRIAL AND TECHNICAL SCHOOLS

That the Mainamoti Survey School be abolished. The Kanchrapara Technical School (apprentice classes), the Calcutta Technical School and the mining classes be closed. That the posts of Superintendent of Textile Demonstration and Asst. Inspector of Weaving School be abolished. That the Industrial Engineer will also carry on the duties of the Agricultural Engineer. That the number of Imperial Offices in the Irrigation Department should be reduced from 29 to 12. The Committee has recommended that as the Bengal Irrigation Department has been working at a terrible loss to Bengal revenue, its working should be immediately reviewed by a special committee.

There have been recommendations for drastic retrenchment in the P. W. D. that the number of circles and divisions will be reduced.

FOREST SERVICE

The Entire Forest Service should be provincialised. The posts of the Forest Utilisation Officer and Working Plan Officer be abolished. Instead of two Conservators of Forests there should be one.

REGISTRATION

That the post of the I. G. R. of Registration be amalgamated with the post of Excise Commissioner. That all non-paying registration officers should be abolished.

MEDICAL

The post of Surgeon General to the Government has been recommended to be abolished. With the exception of 7 superior posts in the Indian Medical Service, all other superior medical posts in the province has been recommended to be filled up partly by promotion of Assistant Surgeons and partly by private practitioners on part-time allowance.

TOTAL SAVINGS SUGGESTED

The total savings suggested in the various Departments are as follows:—

	Savings. Rs.	Estimated Increase of Revenue. Rs.
Excise	1,88,900	......
Forest	2,71,600	......
Registration	6,93,400	......
Scheduled Taxes	10,000	......
Irrigation	4,58,500	......
General Administration	17,69,500	1,26,000
Administration of Justice	6,97,900	32,200
Jails	64,500	......
Police	11,12,000	......
Education	9,14,000	......
Medical	5,37,400	23,000
Public Health	1,74,400	5,100
Agriculture	6,96,900	......
Industries	1,88,200	2,500
Commerce and Marine Departments	56,300	50,500
Public Works	24,37,200	......
Stationery and Printing	1,95,000	......
Miscellaneous Grants	18,900	......
Pay of the Services	48,00,000	......
Special Pay	2,10,700	......
Compensatory Allowances	80,000	......
Travelling Allowance	6,80,000	......
Contingencies	7,00,000	......
Leave Reserves	9,00,000	......
Land Revenue	2,72,400	1,29,000
	1,81,27,700	3,68,300
Total	Rs. 1,84,96,000	

INDIAN LEGISLATIVE ASSEMBLY

THE Assembly, commenced its winter session at New Delhi from the 7th November by consideration of the reports of the Ottawa Committee which were discussed and passed and necessary legislation (under the name of Indian Tariff Act, 1894 Amendment Bill, 1932 or Ottawa Tariff Bill, 1932) was introduced. Bengal Outrages Supplementary Bill, 1932 and Criminal Law Amendment Bill (commonly known as the Ordinance Bill), 1932 are the two other legislative measures that comprised a great portion of the business. Other bills considered were Indian Merchants Shipping Bill relating to Haj pilgrims, Indian Merchants Shipping Act, Auxiliary Forces Act. An abridged statement of the business of the House follow. The Assembly was adjourned sine die on the 15th December.

BENGAL OUTRAGES SUPPLEMENTARY BILL, 1932

On November 14, Mr. Haig moved for consideration of the Bill to supplement the Bengal Suppression of Terrorist Outrages Act. The Act itself was passed on September 6 last replacing the Special Bengal Ordinances which expired recently and some other powers derived from the Special Powers Ordinances which would expire at the end of this year. Despite the existence of these powers, the Bengal Legislative Council, passed the Act (to which the present Bill is supplementary) by 58 against 12 votes. The Bengal Act contained Emergency Powers of an executive character confined to particular areas. Under this Act Special Magistrate in stead of being limited to normal sentences of two years were authorised to give sentences ranging to seven years. Clause three of the Bill provided that in those cases where an appeal did not go to the Court of Sessions, it should go to High Court. As the section reads, it provided for an appeal to the High Court of Calcutta from any sentence by a special Magistrate in any trial held in Calcutta town and also from any sentence of transporation for a term exceeding two years or imprisonment for a term exceeding four years passed by a special Magistrate in any trial held outside Calcutta. Under Clause five of the Bill the High Court would have no power to entertain applications in revision. Here the Home Member emphasised that an appeal is provided from sentences of Special Magistrates and therefore no substantial injustice could be felt.

Mr. B. R. Puri: "Yes, but that appeal is only against the sentence and not against the order."

Proceeding Mr. Haig alluded to the recent manifestations of the terrorist movement and said that judged from the facts there was no warrant for saying that if self-government was given these terrorists would become ordinary citizens with merely nationalist tendencies. One of the latest leaflets issued by terrorist organisation condemned the Congress as a body of the rich and practically dismissed those who did not agree with the terrorist policy as traitors. Blood-thirsty threats were uttered against those who opposed them. Mr. Haig advised the Assembly to ponder over the disastrous effect of such teachings and activities and emphasised that such a movement should be extirpated and the present Bill was but the essential link in the chain of efforts to put it down.

Mr. Anklesaria and Mr. Dhudhoria opposed circulation, as in their opinion the measure was being insistently demanded, as terrorism had eaten into the vitals of Bengal administration. Mr. Dhudhoria maintained that the principle of the Bill had been already accepted by the Bengal Council.

Mr. B. N. Misra maintained that Government instead of employing C. I. D. to trace anarchists should find out the cause of the movement.

Major Nawaz Khan said that it were the terrorists, who were compelling the Government to take strong measures and a stronger measure might have to be taken in future.

Mr. Rangaiyer said that they were not there to support terrorists, and held that a clause giving the right of appeal to the High Court was a salutary provision.

A POINT OF ORDER

Sir Hari Singh Gour raised a point of order that the proposed Section five of the Bill would re-create the anomaly removed in 1923, inasmuch as the power of superintendence vested in High Courts by the Government of India Act, Section 107, would be taken away in respect of non-chartered High Courts, while leaving it unaffected in respects of chartered Courts

Sir B L Mitter replied that the High Courts derived powers from three sources, namely, Criminal Procedure Code, Letters Patent and Section 107 of the Government of India Act The Indian Legislature could alter the powers of the High Courts in respect of the former two, and the extent, to which it altered the powers given by section 107, those would be void. He said that the Chief Justice of the Bombay High Court had held this view in a recent case arising out of the Special Powers Ordinance.

The President said that Ordinances were made by the Governor General and were not the concern of the House, but the Indian Legislature must satisfy itself that it was not entrenching upon the powers given by a Parliamentary Act (Opposition cheers) The Chair asked how the Government proposed to meet that doubt

Sir B L Mitter suggested that it could be done by adding an explanation to the Section that nothing in the Section purported to alter the powers of the High Courts under Section 107

The President said that the clause still contained some very wide phrase like "Powers given by whatever authority "

Sir Abdur Rahim said that he would like to know what were the powers they left to the High Courts

The President said that the Law Member had admitted that the Section, as it stood, entrenched on Section 107 of the Government of India Act, and to that extent the President ruled it out of order He said that it should not be beyond the ability of the Legal Department to prepare a proper draft, which the chair would consider.

On the next day, Sir B L Mitter, Law Member and the leader of the House moved for time, to Government to amend the form of Clause 5 of the Bill in accordance with the President's ruling. Accordingly on the Law Member's motion the House agreed to postpone the consideration of the Bill.

ANOTHER POINT OF ORDER

It was eventually taken up on the 12th December when Pandit S. C. Sen through a point of order urged that it was encumbent on the Law Member to redraft Clause 5 in accordance with the ruling of the Chair and then present the Bill for the consideration of the House. The Law Member on the other hand had placed three alternatives before the House for selection. He must stick to one amendment and embody it in the Bill.

PRESIDENT'S RULING

The Chair ruled that the motion or consideration of the Bill was in order. The Law Member was within his rights to amend Clause 5 and place before the House alternatives to select from. This House could do this when Clause 5 was reached. For the present the motion before the House was for the consideration of the Bill. Replying to the point of order by Pandit Sen, the Chair pointed out that in spite of its warning, a ruling on Clause 5 was demanded as a special case. Had that been done the present difficulty would not have risen.

MOTION FOR CIRCULATION

Mr. S. C. Mitra then moved for the circulation of the Bill for eliciting public opinion. He referred to the speech by Mr. H. G. Haig that the Bill was intended to eliminate the revisional powers of High Courts and said that the House had repeatedly assured that it had no sympathy with terrorists and would like to end terrorism forthwith and even supported the demand for speedy trials. The House on the other hand would protect those who had no connection with terrorists. Mr. Mitra said, lately there were apprehensions that the judiciary was entirely under the control of the executive. There were only High Courts which were free from that control. The revisional powers of High Courts should not therefore be taken away and the accused be not denied the chance of approaching high courts for justice. Mr. Mitra referred to the collective fine recently imposed on the Hindus of Chittagong and said that it was the police and military who failed to trace the whereabouts of the culprits and should be punished.

Pandit S. C. Sen claimed that no useful purpose can be served by circulating the Bill. The speaker gave the history of the terrorist movement in Bengal and said progressively increased powers were assumed by Government from time to time, which every time were discovered to be inadequate and inefficacious. The present Bill put the Rowlatt Act in shade. The foundation of British rule he said, were laid on the rock of just law and their just interpretation. But to-day the rule of law was being substituted by the rule of police.

It was time that Government appoint a Committee to find causes of terrorism instead of applying repression. As a remedy of this evil, Mr. Sen suggested separation of the judiciary from the executive, and making High Court all powerful in judicial matters.

Mr. Anwarul Azim strongly repudiated the insinuation of Mr. Sen about Chittagong situation. Referring to the remedies suggested by several speakers Mr. Anwarul Azim said that the unrest was sufficiently even to shake any kind of Government, and the best remedy was to scotch out terrorism. He also repudiated the suggestions that Government had any hand in the movement, and said that the police would be the last to budge an inch against law and order. He added that the imposition of collective fines had served a useful purpose. He concluded that the Bill was a highly desirable piece of legislation, and all should give blessings for its speedy passage.

Mr. Jadhav supported circulation, as it affected High Court's jurisdiction and power of revision. He was afraid that the Bill might be extended to other provinces also.

HOME MEMBER'S REPLY

Mr. Haig, Home Member, was glad that the Bill had received support from all sides of the House. He said that it was not the question of Government smelling anarchy everywhere. "It is a long catalogue of outrages that obtrudes on the attention of every reasonable persons." Pundit Sen

had declared that terrorism begets terrorism. This was an amazing inversion of facts. The Home Member said that the first terrorist outrage against army in Chittagong had occurred just when the Special Powers against terrorists had been allowed to lapse. There was no provocation. August 1931 witnessed a deplorable accident when certain excesses were committed. It was the murder of an inspector while playing football. September 1932 witnessed another outrage, and he wondered whether Pundit Sen's suggested events of a year ago could have any connection with them. Mr. Sen had suggested another enquiry. Mr. Haig said that the Rowlatt Committee had made a full enquiry, and the Government's present policy was based on those recommendations of the Rowlatt Committee. Mr. Sen had suggested remedies, firstly that Government should not stand on prestige. Mr. Haig asked, "Does the Government consider it a matter of prestige that it should take action when its officers are murdered ?"

The second suggestion was separation of the judiciary from the executive.

Mr. Haig replied that the terrorists were not interested in these small matters, and they stood for bigger issues.

The third suggestion was that if the Government removed certain official the terrorists would be pacified.

Mr. Haig replied "The reputation of Mr. Prentice does not require any defence. I would suggest that to locate causes of terrorism we have to go deeper. They are men who, however, are devoted deeply to their cause and it is a matter of great difficulty and, I am afraid, it will be a matter of long period before we can root out this terrorist movement and terrorist mentality, and in this task we must give Bengal Government whatever facilities lie in our power (applause)."

CIRCULATION MOTION LOST

The motions for circulation were defeated and the House agreed to take the Bill into consideration.

DISCUSSION ON CLAUSES

Discussion then proceeded on the clauses of the Bill.

Clauses second, third and fourth were adopted, and the Assembly adjourned till Wednesday, the 14th December.

CLAUSE FIVE

On the 14th when the House took up further consideration of the Bill, Mr. Satis Sen moving an amendment for the deletion of clause 5 of the Bill, said the clause was objectionable as it aimed at curtailment of the revisional power of the High Court. The speaker pointed out that in view of the provisions contained in the previous clauses of the Bill the first part of the clause 5 was unnecessary, having no bearing or utility, while the second part of the clause 5 which went beyond the preamble, repealing the clause of the Bengal Act was ultra vires. as the Bill was to supplement the Act and not to amend it.

The Law Member replying, said the first part of the clause which has been described by Mr. Sen as unnecessary, was as a matter of fact of needful change in the procedure, ensuring, on one hand, greater benefit to the accused in the matter of appeal which could be lodged in cases of heavy sentences to High Court and light sentences to Sessions of heavy sentences to High Court and light sentences to Sessions Court and on the other, quickening the process of the trial which, at present, was subject to unnecessary delay through the intermediary obstacles.

The Law Member further said that the Bill was not ultra vires under the Government of India Act, as it received sanction of the Governor-General.

Sir Abdur Rahim supporting the amendment could not accept the Law Member's explanation as, to his mind, the Bill would place the High Courts in a very difficult position in the matter of power of Superintendence. He did not think that the cause contained any special privilege to the accused in the matter of appeal as contended by the Law Member.

Sir Abdur Rahim said the whole clause of Bill is badly drafted. It is stated that no court shall have authority to revise such order or sentence and he did not find any amendment on the agenda which corrects this bad draftsmanship.

Law Member:—There is an amendment which will be moved presently.

Sir Abdur Rahim:—But draftsmanship is absolutely bad. In the clause as drafted, there is no distinction made between powers of revision and powers of superintendence. Powers of revision is an ordinary power of the High Court but the power of superintendence is vested in the High Court by Letters Patent Charter Act or the Government of India Act and it is exercised only on rare occasions. Now under this clause, even if there is miscarriage of justice, there is no provision made to set it right.

Law Member:—It can be set right by appeal, because the power of appeal is given in every case, while under the criminal code, appeal does not lie in every case.

Sir Abdur Rahim:—Then there is to be no right of transfer. Under the provisions of this clause, police or Magistrate is in a position to keep the accused in custody indefinitely.

Mr. Lalchand Navalrai supporting the amendment, inquired why the Law Member was making distinction between the powers of chartered High Courts and those which are unchartered.

Law Member:—That distinction is made by Parliament.

Mr. Lalchand Navalrai:—But why should you worsen the position. This will leave little powers for provinces where there are Judicial Commissioner's courts.

Law Member:—Doesn't the member realise that this Bill refers specifically to Calcutta High Court ?

Mr. Lalchand Navalrai:—But who knows you will not be extending this beyond the jurisdiction of Calcutta High Court.

Mr. Lalchand Navalrai continuing said that the inclusion of Clause 5 in the Bill takes away the revisionary powers of the High Court.

Mr. Ranga Iyer contended it would be doing away with the intermediary stages of trial and the purview Clause takes away the jurisdiction of High Courts.

Mr. Satyen Mitra opposing said the Law Member ought to have stated clearly what rights of the High Court were being taken away and what powers left behind by clause 5.

Pandit Satyen Sen said the clause would interfere with the revisional powers of High Court according to ordinary law and takes away the right of "habeas corpus." He wanted that the terrorists be given a fair trial.

Mr. Jog opposing said the Government was afraid of the powers of High Courts and clause 5 was a sort of no confidence motion the Government had brought on the High Courts.

Mr. Haig replying said Clause 5 intended to prevent dilatory motions and multiplicity of proceedings. The right of appeal, whether in the Sessions Court or in High Courts was always there and there was no danger of substantial justice being carried out.

The President then put Clause 5 before the House which was lost by 55 votes against deletion and 28 votes for deletion.

Immediately after Mr. Sen's amendment that Clause 5 be deleted was negatived, the Law Member moved that at the end of Clause 5 of the Bill the following proviso be added:—" Provided always that nothing herein contained shall affect the powers of the High Court under Section 107 of the Government of India Act " which was carried.

After this Sir Mohammed Yakub moved an amendment that in Clause 5 of the Bill words " by whatsoever authority made or done." be omitted. This was also carried.

After this the president put that Clause 5 and preamble of the Bill stand part of the Bill which was carried. This brought the second reading to a close.

Mr. Haig then moved that the Bill as amended be passed.

THIRD READING OF THE BILL

Mr. Amar Nath Dutt speaking on the third reading of the Bengal Suppression of Terrorist Outrages Bill said the opposition would have been glad if the Government had accepted amendments regarding clauses 4 and 5 and would have secured whole-hearted support. He said already Government servants were well protected by the existing laws and objected to clause 9.

Mr. Satyen Mitra opposing the Bengal Suppression of Terrorist Outrages Bill, observed that the Government should try to find out the true cause of terrorism and should appoint a committee like the Rowlatt Committee. He observed if the terrorists were given a chance, they would become good citizens like Sir Abdulla Suhrawardy who was once a Police suspect and was about to be arrested under Regulation III of 1880, but now he is dubbed Knight and has become an ornament of this august House.

Mr. Sitaramraju opposing, opined that the effect of passing this Bill would be that the revisionary powers of the High Court would be taken away.

Mr. Gunjal and Pandit Satyen Sen also opposed.

BILL PASSED

After Mr. Haig's reply, the third reading of the Bill was passed without division.

OTTAWA AGREEMENT

The discussion on the Ottawa trade agreements was taken up after Sir Joseph Bhore had introduced his resolution, many were there to speak for or against the agreement. After four days' debate, the Assembly unanimously adopted a compromise resolution moved by Dr. Gour as a result of which the whole question was referred to a special committee to examine the details even by calling the experts and to submit the report on the 21st November. As a matter of fact, the Committee was not in a position to submit its report before the 28th and that too not in a unanimous way. The Assembly, however, after discussion, adopted the majority report. Main points of the prominent speakers, Dr. Gour's resolution and discussion on the majority and minority reports are given below.

OTTAWA RESOLUTION

Sir Joseph Bhore moved the following resolution:

" The Assembly accepting the trade agreement made by the Government of India with His Majesty's Government in United Kingdom, which was signed at Ottawa on August 20 and the supplementary agreement regarding iron and steel, contained in the correspondence between Sir George Rainy and Horace Wilson, dated September 22, recommends to the Governor General

in Council that he do introduce in the Indian Legislature at the earliest possible movement such legislative measures as may be necessary to give effect, to the agreement in question."

COMMERCE MEMBER'S MOTION

Moving the resolution, Sir Joseph Bhore, Commerce Member, began by appealing to the House for an unbiassed and unprejudiced examination of results of the recent Imperial Economic Conference so far as they concerned India. He assured the House that so far as the Government of India and their delegation were concerned they were dominated by one idea, namely to place India and India's interests before everything else, and he claimed that in the Agreement which had been arrived at, this idea had been fulfilled.

He set three general questions, firstly "why did we go to Ottawa" secondly, "what exactly did we get at Ottawa," thirdly, "why should we accept the Agreement."

Taking first of these questions he stated that the Import Duties' Act placed the Fiscal relations of the United Kingdom and Empire countries on entirely an altered basis. As a result of this change India was faced with a new situation. She could either have ignored the consequences of the Import Duties Act, or she could have entered into a discussion of a possible trade agreement with United Kingdom and thus avert such consequences to her trade as might in normal course have been expected to follow the imposition of British Tariffs. The Government of India chose the latter alternative and having regard to the possible losses to India's export trade through new British duties he maintained that no Government could possibly have refused to enter into negotiations consistently with the duty to the interests of the country. He pointed out that it was impossible in view of the conditions of the problem at this stage to arrive at a mathematical calculation of even approximate accuracy. But while he would not attempt to guess at any figures of possible losses he would try to satisfy the House through examination of a few typical commodities how real and substantial was the threat to India's trade, offered by the new Fiscal policy of United Kingdom.

Sir Joseph Bhore then proceeded to state a few typical instances, namely, commodities of which the chief competitors were the colonies and protectorates, commodities like lac, in which though India possessed the virtual monopoly she yet ran the risk of losing her trade through competition of substitutes. Lastly he took the case of tea—the largest single item of export to United Kingdom amounting in value to about twenty million sterling annually. In case of tea, he asserted that without preference the industry might possibly have been set on the path of irretrievable disaster. In regard to the argument that the British Government would not have allowed the interests of British planters to suffer, he pointed out that such an argument might equally apply to dominions. and thus would have reduced the new British Fiscal policy to one great bluff—an absurd assumption.

The Commerce Member then pointed out the disaster to the tea industry of India, which could not stand equal competition with Java in lower grade, and could not face preference on Ceylon tea. If India were excluded from it, it meant not only disaster to British capital but to a considerable amount of Indian capital, and to Indian labour, and to the country generally. He gave, as an instance, the fact that statistics of the sterling tea companies showed that some of them spent no less than 72 per cent of their gross earnings in the country. The Government, therefore, could not possibly look with equanimity on the disaster overtaking the tea industry of India. He also pointed out that whether, as hostile critics had estimated, India's loss to trade would amount to eight or ten crores if they had refused to enter into negotiations for the trade agreement, or, as he believed, would have been infinitely more,

Government could not have possibly allowed that loss of trade, nor refused to avert the blow involved for the agricultural and industrial classes of the country. He pointed out that no less than sixteen foreign countries had, as a result of the Import Duties Act, asked United Kingdom to enter into reciprocal trade agreement, and he argued that this fact was a presumptive evidence that the consequences of the new British Fiscal policy could not possibly have been ignored, as hostile critics obviously would have wished the Government of India to do.

The Commerce Member then went on to give a brief summary of what exactly were the preferences which were proposed to be given to Great Britain, and what India would get in return. He emphasised the fact that this was not the question of Imperial preference in the usual sense, but of plain business proposition, and showed that 55 per cent of India's import would still be outside the scheme of preferences. He then proceeded to rebut the criticism that the preferences, which India had received, were of little or no value. He took a few typical instances and showed to the Assembly that preferences in respect of articles like vegetable oils, oilseeds and rice were held out. As regards the preferences exchanged between India and the Colonial Empire, he said that while they might not yield great results at once, they held out the promise of considerable development in future in the market for Indian manufactured goods like cotton piecegoods, yarn, iron and steel in those areas.

The Commerce Member finally turned to the question why the Agreement should be accepted. He said that all that could be said was that 'prima facie' both the parties stood to gain from the agreement, but that if as a result of actual experience over a period of time—and this was only a reliable guide—India found that she had made a mistake, that her anticipations had not, having regard to the growth of her trade, materialised, if the price paid was too high or the loss accruing from the action of foreign customers outweighed the benefits from the agreement, then as it was open to Great Britain so it was open to India to terminate the agreement at six months' notice. He claimed that a fairer or more reasonable proposition could not have been placed before the House.

NON-OFFICIAL AMENDMENT

Dr. Ziauddin Ahmed was the first non-official to speak on the resolution of Sir Joseph Bhore. He moved an amendment that for the original resolution the following be substituted "that the Ottawa Trade Agreement between India and other countries of the British Empire be referred for scrutiny and report to a committee of the Assembly consisting of Sir Joseph Bhore, Dr. D. B. Meek, Sir Hari Singh Gour, Mr. Shanmukham Chetty, Mr. B. Das, Sir Abdur Rahim, Mr. Sitaram Raju, Haji Abdulla Haroon, Sir Zulfiqar Ali Khan, Mr. G. Morgan, Mr. Yamin Khan and the mover with powers to co-opt not more than six specialists, including persons interested in industries affected by the agreement and to avoid dislocation in trade this Assembly recommends to the Governor-General-in-Council not to introduce the Bill to amend the Indian Tariff Act (1894) till the report of the committee has been adopted by the Assembly." The amendment further requested the Governor-General-in-Council to urge on the British Government to suspend the operation of Import Duties Act till the Assembly had given its decision on the agreement. He said that for a thorough scrutiny of such controversial subject the Assembly was not the proper body. Such work could be done better and with more advantage in a committee as suggested in his amendment. He held that the need of India was fixing of prices at slightly higher level but the Ottawa Agreement would lower them still further. Dr. Ziauddin Ahmed also wished for information as to how

the Agreement would affect Indian trade with countries outside the British Empire. He urged for full opportunities for examining the agreement which would be possible under his amendment.

EUROPEAN VIEW

Mr. Arthur Moore, Leader of the European Group, opined that the Ottawa Agrement would result in a greater volume of trade throughout the world, and enable it to recover from the present economic depression. While supporting the principle of the Agreement, Mr. Moore wished it to be understood that the European Group reserved the right to criticise details of the Tariff Bill. There was the definite and decisive fact, proceeded Mr. Arthur Moore, that Great Britain had changed her policy from free trade. The idea that England's difficulties was India's opportunity, seemed to be fundamentally incorrect. This was an attempt at world recovery from the great depression which had overtaken all countries, including India, and if they decided to take no part in it, they must be prepared to see their trade and commerce run in narrow and sandy channels, instead of as a great river, full at all seasons, winding safely to the sea.

OTHER SPEAKERS

Mr. B. N. Mitra failed to understand the Government's hurry in respect of a question which was of recent growth, while they had kept aside the Orissa problem, which had been in the forefront for forty years. He criticised the Governments' policy of sending delegates and wondered what would be the fate of India's vast export trade with other foreign countries, if Imperial preference was accepted. The speaker pleaded for the postponement of the question pending consideration of the same by an expert committee.

Mr. B. Das quoted a large number of extracts from the opinion of the leading Indian merchants and associations against the Agreement. There was such a difference of opinion about the benefits to be derived from it by India, that it was but fair that sufficient time and opportunity should be afforded to the country to examine critically and in all its aspects the Agreement.

Mr. S. C. Sen referred to jute and lac, which were the monopoly of India, being included in Agreement, and said that there was absolutely no justification for the Government's inordinate hurry in dealing with such vital questions. The usual practice of referring such questions to the Tariff Board should be adopted.

Mr. Morgan observed that the House was being asked merely to ratify an agreement, which meant conceding the principle of preferences. They should scrutinize the detailed proposals when the Tariff Bill was before them.

Mr. Morgan wholeheartedly supported the Supplementary Agreement, as it would help pig iron, coal and railways. He asked the House to remember that the British fiscal policy had changed, and that it was in India's interest to ratify the Agreement, while they should hold back detailed critic ism till the Tariff Bill was before them.

Mr. Anklesaria spoke supporting the Agreement, which he described as one not involving imperial preference, but reciprocal preference. He asked the Assembly not to be swayed by prejudice or vote out of ignorance of the facts, which had been marshalled by such recognised experts as Sir Padamji Ginwala, and Mr. R. K. Shanmukham Chetty.

Mr. C. S. Ranga Aiyar opposed the Agreement, as he feared that it would act like a boomerang on India if she agreed to it. Foreign countries might retaliate against India. India had several foreign countries as customers of her produce. So, a purely trade view of the Agreement should be taken.

Taking the iron and steel industry, to which the Assembly had not hesitated to grant protection in order to place that Indian industry on a level with that of other countries, he said the Ottawa Agreement would cripple its development. Under the pretext of "industrial co-operation," why should Tata's steel bars be exported to England to be converted into galvanised sheets? Why not that process be further developed in India itself. If the rest of the world were excluded from an economic agreement, the capacity of that world for purchase would be lowered, and the depression would become deeper. His quarrel with the Indian Delegation was that they had bungled in the choice of articles for preference—of articles like jute, and tea, in which India enjoyed a monopoly

Mr. Jagannath Agarval held that the House was not asking too much when it wanted the matter to be examined by the Tariff Board, for the policy was one that would bind the future generations. England had taken years of expert enquiry and study before launching on the new fiscal policy, while India was being rushed into it without a detailed examination of the same by experts. He held that the argument that the Agreement could be terminated at six months' notice, should not mislead the House. Once the Agreement was endorsed, various trade interests would grow from it, and trade would be so diverted that it would be difficult to change that course later.

Mr. Lalchand Navalrai wanted this to be discussed only by a self-governing India He regarded the Agreement as a danger to Indian industries and instanced the case of aluminium He further said that the opinion of Indian Commerce and Industry was against the Agreement.

Mr Jadhav complained that the Government had been surreptitiously introducing imperial preference since the day's of Lord Curzon

Mr. Ramakrishna Reddi supported an enquiry by the Tariff Board.

Mr. A. Hoon hoped that the Commerce Member would accede to the wishes of the Opposition, who only pleaded for sufficient time to consider the question India, being the biggest market for British goods, could easily ask for time.

Mr Hoon held that it was entirely in the hands of foreigners, and there was not much gain for India Concluding, the speaker said that once the Agreement was accepted, it would be difficult to rescind it.

Mr. R. K Shanmukham Chetty referred to the economic value of the Agreement He said that he had no answer for an argument that nothing should be done in such a sphere till India had free institutions. The Agreement should be considered on its merits by those interested in the expansion of India's export trade without retarding her industrial progress. He said that, in the case of the tea industry, the consideration that prevailed with him was, that it had about five crores of Indian capital invested, that it provided for a million people, and that its ruin would lead to the financial breakdown of the provinces of Bengal and Assam. In the case of this industry, preference alone would enable them to retain the present market in the United Kingdom against serious competition from Java and Ceylon In the case of the other commodities, it would lead to expansion of trade. England bought yearly nine million pounds worth of vegetable oil, of which India supplied only one per cent and Ceylon three per cent non-Empire countries supplying the rest of the imports. Mr. Chetty continued. Here is a British market of incalculable value to be captured by a fifteen per cent preference. Similarly the United Kingdom buys only 26 per cent of rice from us, and with a 50 per cent ad valorem preference on rice, we have an immense market to capture. We have the capacity to enlarge our production, so that it will not be a case of diversion of trade, but of expansion."

Mr. Chetty said that those who argued that the Agreement would mean a deathknell to industries flourishing under the revenue tariff, forgot that there was nothing to prevent their moving such amendments to the tariff schedule as would retain the present duty on British goods and raise it by a further ten per cent against foreign goods. He had not yet come across any constructive criticism. They might have committed an error of judgment, but let the House tell them where.

Mr. Chetty next dealt with Mr. Vakil's pamphlet and said that Mr. Vakil had made an error in respect of linseed and also about cotton piecegoods. Whereas the British import in the latter had fallen from 33 crores in 1929-30 to 12½ crores in 1930-31 and to 8 crores in the succeeding year, Mr. Vakil estimated that the British would capture a market worth 30 crores. Then again, Mr. Vakil had included in the list various goods of the value of crores, on which preference had not been given.

Dewan Bahadur T. Rangachariar thought it was an irony of fate that when they got an Indian Commerce Member for the first time he should be required to support such an Agreement before the House. They could not forget the relative position of the countries who had entered into the Agreement, India, since the days of the speaker's boyhood had grown from 200 to 350 millions in population. They must not also forget that the agriculturists were still comitted to primitive methods, and that expansion of agricultural products required capital, enterprise and many correlating industries which did not exist.

Proceeding, Mr. Rangachariar warned the House that before embarking on preferential tariffs, they must make sure that they did not run a great risk and that the preference policy had the support of the Indian Legislature. The Assembly had already granted preference to Britain. Were they satisfied that the results had been good ? In regard to this Agreement, Sir Joseph Bhore was not so emphatic as Mr. Chetty regarding the benefits that would accrue to India.

Mr. Rangachariar could not but regard it as heavy. Britain had in recent years been losing ground in the Indian market, but the decision to link the rupee to the sterling was one of the factors which enabled Britain to rehabilitate herself. Over ninety crores of solid gold of poor Indians had left the country. It was a criminal act on the part of the Government to have allowed this to occur under their very eyes. What was the return which India got for this help which she gave to Britain? And now in connection with the next Constitution, they talked of safeguards. Mr. Benthall went to England and demanded safeguards. The English people were more cunning than Indians. Mr. Chetti in the Imperial atmosphere of Ottawa had entered into an Agreement with England, with the result that if that Agreement was adopted they would be handing down to the future generation a burden without the opportunity of developing industries for their own benefit. They were really taking an unknown risk, Mr. Rangachariar observed, in being asked to ratify the Agreement. India exported more to other countries than to Britain, while Britain sent to India more than she was prepared to accept in goods. Would not the agreement disturb the trade with foreign countries, which was to India's benefit ? Take oil seeds, England only took 13 per cent of India's oil seeds, and the rest was sent to other countries. What about starting more oil mills in this country ? Then, what about brass, copper and such other articles ? The English exporter not only exported but also came to this country as a manufacturer. Did the British Government enter into a similar agreement with the other Colonies? India had not been placed on an equal footing in the Empire.

Mr. Chetty interrupting informed the House that India had concluded a better bargain than most other Dominions under the Ottawa Agreement.

Mr. Rangachariar: My friend can congratulate himself on it, but it will be injurious to the interests of India as I visualise it. Has my friend thought of the Indian consumer ? Already, we are hearing of diminished returns. Retrenchment has practically stopped, and perhaps the 10 per cent cut will now be sought to be restored. I expect the Finance Member to come up in March, and ask us to vote several taxation proposals and to increase the tariff on foreign goods and diminish the tariff on British goods. To what extent of the imports, they would give preference, is not known.

Mr. Rangachariar continued :—" I am proud to belong to the British Empire, but in my political bargain with Britain, I had this commercial weapon left and by this Ottawa Agreement that is also gone."

Mr. Rangachariar concluded by quoting textually the resolution passed by the citizens of Madras against the Agreement.

DIRECTOR-GENERAL'S REPLY

Dr. Meek, Director-General of Commercial Intelligence, replied to some of the Opposition's arguments. He said that the Tariff Board was a body that merely examined the question of protection for industries, and not tariff changes. On the other hand, a delegation, the strongest that ever represented India (applause), had spent four and a half months examining the subject. Any further enquiry would simply repeat the work already done. He assured the House there would be no fear of foreign countries retaliating, as they must import cheap raw material.

India had already enjoyed preferences for eight months without giving anything in return. The statistics for that period showed that in twenty out of twenty-seven goods on which preference had been given to India, exports from India to the United Kingdom had increased, while in the case of non-preferential items exports had increased only in four out of nine items.

Mr. Rangachariar: What is the highest rise ?

Dr. Meek: From 15 to 34 per cent. Indian pig iron would particularly benefit from the scheme.

Dr. Meek said: This agreement is to my mind the best bargain of all, and my only criticism of it is that it does not tie up the United Kingdom more than six months.

Sir Abdur Rahim, Leader of the Independent Party, said that his greatest grievance was regarding the procedure adopted by the Government of India with regard to its Delegation's work. The speaker read out Mr Stanley Baldwin's speech, showing that, whereas in the case of England and the Dominions, either side had sent to the other a preliminary list showing the items on which they would like to have preference, the Indian Delegation was supplied with such a list only on its arrival in London. Sir Abdun Rahim continued:—" This put our Delegation at a fatal disadvantage. They had no opportunity of discussing the provisional list with the business interests in India. That is the reason why Mr. Chetty and Haji Abdulla Haroon find themselves in absolute isolation both in the country and in this House. The list was prepared by the Government of India, and I take it the Government of India, being a subordinate Government, prepared the list in consultation with the India Office, who must have discussed the matter with the Trade Department of the British Government. Our delegates were thus presented with a *fait accompli*. You tell us, through your experts, that these are complicated questions. We know our Delegation did not have the advice of the public and of business experts. Are we going also to vote blind-

folded ? Let the Tariff Board or a special committee examine the matter and hear witnesses. No less than 163 items are involved, including even glue and bedsteads. Nothing is left out. The Commerce Member has asked us to take an unbiassed view. I confess I am biassed against giving preference to British interests over the interests of India (Hear, hear from Opposition). The Commerce Member is voicing the feeling of a Government which is subordinate to the British Government, and consciously or unconsciously he will have to voice the interests of Great Britain in this matter (Opposition applause). Mr. Chetty says that he has safeguarded the policy of discriminating protection, but nothing is left to protect after giving the preferences. Once trade interests grow, we can never get rid of these preferences. (A voice: Wait for the new Government). I am not so optimistic. I wonder if the new Assembly will have even as little power as we have. We gave previously preference to steel and cotton piece-goods, not as the foundation of a new policy, but because it got about that, without such a course, Whitehall would not agree to protection to steel and mill interests." Sir Abdur Rahim again quoted Mr. Baldwin to show that the British policy was to make the Empire self-contained, so that India would be the producer of raw material and semi-finished products only. Sir George Schuster had, in a recent speech, made it clear that the balance of trade had been unfavourable to India. Could the House endorse an agreement which might make the position worse? Sir Abdur Rahim asked the House to consider that, according to Mr. Ramsay MacDonald, the Ottawa Conference was only a precursor to a World Economic Conference which might alter the decisions of the Ottawa Conference in a great degree. Why then the hurry to commit them to the Ottawa Agreement, especially when Indian opinion was hostile to it? The Government of India should, in this matter, respect the fiscal convention that the Indian Legislature must decide in accordance with public opinion.

Sir Alan Parsons said that the Government of India were in complete agreement with the speech of Sir George Schuster on the agreement. Personally, he was convinced that the benefits accruing to India were large and substantial. On the basis of a fair and honest estimate it would be found that India's revenues would not be affected nor the consumers' interests adversely affected.

Haji Abdulla Haroon, one of the Delegation, supported the resolution. He said that he was unconvinced by the arguments that the agreement would do harm to the country. As for the personnel of the Delegation itself, the Government of India could not have sent a better one under the present Constitution. It was open to the House to delete any item from the list of articles which would obtain preference, provided it was proved that preference would affect it seriously. Let the House not be terrified by the word "preference."

Mr. B. C. Burt, adviser to the Ottawa Delegation, suggested that India should take advantage of the Agreement, and push on her trade with her largest single customer (United Kingdom). The preference of four annas per maund would enable India's wheat to get into Britain in larger quantities, and thereby protect India's future interests. At present, India sent only five per cent of her products, while England was importing five million tons from several countries including India. The fact that England gave preference to Indian wheat, would help India to capture a substantial share of the five million tons required by Britain. Regarding cotton also, India could export a larger quantity of her short staple produce and use more of medium staple in her own mills.

OPPOSITION VIEW

Sir Harisingh Gour, Leader of the Opposition, examined first the constitutional position and said that Indian delegates went as nominees of a Government subordinate to Whitehall. As regards the fiscal autonomy convention, the Parliamentary Joint Committee had made it quite clear that India (and not the Government of India) was to consider her fiscal interests in the same way as Australia, Canada or other dominions, but only two years ago the interpretation given by Sir George Rainy of the fiscal convention was that only if the Government of India and the legislature agreed that the Secretary of State did not intervene, but that if the Government of India did not agree with the legislature then the Secretary of State's orders must be final. Sir Harisingh Gour commented "This position is that the Government of India can say either you agree with us or we carry it over your head with the sanction of the Secreary of State whom of course we have already consulted. There is thus an unreality in this debate. This fiscal convention is a mockery. But may I ask the Leader of the House and Treasury Benches whether they are prepared to give effect to the spirit of the convention by withdrawing official votes and let the House have a free vote?

Sir Harisingh Gour further argued that the Commerce Member was asking them to commit themselves to an unprecedented procedure namely to adopt the principle of a Bill, which was still kept under a sealed cover and whose provisions were not known to them.

Sir Harisingh Gour felt that Sir Alan Parsons' earlier argument did not take the house very far. Sir George Schuster had admitted at Ottawa that the level of taxation had been raised by fifty per cent, because of the low level of prices. Was the Government going to standardise their abnormally high expenditure? The speaker further mentioned that there was no clause in the agreement barring England entering into further trade agreements with other countries of the world, or with dominions which may neutralize the effect on India of the Agreement in respect of any gain to India through the expansion of trade. There was a real danger that England might take away by the left what she had given by the right. Sir Harisingh Gour declared that the House would not give 'carte blanche' to Government and insisted that the most reasonable demand of the House for an opportunity to examine the agreement through a special Committee should be afforded before the House gave its verdict on the subject.

BOMBAY MILLOWNERS' REPRESENTATIVE

Mr. H. P. Mody, representing the Bombay Millowners, said that he had looked at it from an unprejudiced point of view. He deprecated the cheap sneers at the representative character of the delegation. With the exception of the fact that they went as Government nominees they were fully representative in every other sense.

Mr. H. P. Mody analysed India's special position in the world trade and pointed out that the total volume of India's trade in 1929-30 was Rs. 311 crores. Of this England's share to only 67 crores from which after deduction of exports on the free list 47 crores is left. Out of this again, tea accounts for 23 crores.

He said that he would not condemn the delegation report, but on the statistical examination of facts and figures he found that the advantage that might accrue to India would not be so great as imagined by the members of the delegation. Mr. Mody quoted statistics to show that in respect of India's export trade the share which Britain had was only fortyseven

crores out of three hundred and eleven crores. Regarding wheat, United Kingdom imported from India only one-hundred and forty-thousand tons out of a total of one hundred and eleven million tons. So this was a negligible figure and wheat could be banished from consideration. Moreover India also imported wheat from other countries. Regarding rice, India consumed ninety-three per cent of her produce and exported only seven per cent, out of which Great Britain received only three per cent. This could be eliminated from consideration. As regards coffee, India's share amounted to eight and a half per cent, while from the rest of the Empire Britain received forty-five per cent. Coffee trade was finding competition from Central America, Brazil and also East Africa, and further in view of the fact that coffee consumption in India was increasing this item should also be left out of consideration. With regard to vegetable oil, let it be remembered that there are two handicaps namely freight and expensive packing. As for magnesium chloride, India was not capable of holding its own inspite of the protection recently given to the industry here. This was because of competition from Germany. This item also could be ruled out of consideration.

Mr. Mody next referred to linseed. He admitted that here preference would be an advantage to India. But he doubted whether the ten per cent preference would be equal to overcome the competition from Argentine. He next alluded to the list of preferences proposed to be retained. The share of the United Kingdom in India's import trade was 63 per cent before the war and now it was only 35. But the trade of other foreign countries had increased. He opined that India's position, other conditions being the same, was absolutely secure in the markets of Britain.

Referring to tea Mr. Mody said that the United Kingdom had been the largest importer of India's tea for a number of years. And Britain would have to think several times before she could stop receiving India's supply as it would only result in the import of tea at a higher price which British consumers would protest against. As for jute it might be that India's export to Britain might diminish if preference was not given, but India was a monopolist in this matter. And by an export duty on raw jute jute-manufacturers could not be hit very seriously. In the matter of cigarette-tobacco India did not produce enough but if India could produce a large quantity there was a great deal of the country's own consumption to look after. Mr. Mody judged the question of preference in the agreement by the test which Sir Ibrahim Rahimtoola as president of the Fiscal Commission had suggested and said "If we want to give preference, let us do so by all means, but it must be on those articles in which Britain holds an important part of the market and we must see that the burden on consumer is as far as possible eliminated." But on a scrutiny of the schedule proposed by the delegation it would appear that in some respects there might be a loss of revenue and in other cases there might be a burden on the consumer. So Mr. Mody argued that the agreement required very careful examination and pleaded for some sort of a committee to go into it especially as the government had not supplied any figures to enable the members to follow the subject fully in all respects. The delegation's report had been before the country only for one month. Let a committee of members of this House examine the document in all its aspects and he for one promised to approach it without bias and if he was convinced as to its advantages he would be its strongest supporter.

Mr. F. E. James pleaded that the agreement should be judged only whether it was in interest of India. He quoted from the remarks of an English friend, who had said to him "Your delegates were clever devils.

India knows what she is getting from the agreement, but the benefit of United Kingdom is unknown."

Mr. James said "that is the opinion of British tax-payer on Indian agreement. Our delegates pulled off the bluff alright." Mr. James opined that Mr. Mody had underestimated the stimulus from the agreement to exports from India, while as an acute businessman he should foresee every possible advantage in expanding the trade rather than decrying it. Mr. James quoted the case of linseed, coffee and magnesium chloride to show how much India would benefit. As regards the tea industry in which partly the speaker was interested, he said that provincial Government were interested in securing preference again. Already since preference was given in last April exports of tea from Java and Sumatra had gone down by four million sterling, and there had been nearly a corresponding increase in Indian exports of tea to U. K. (applause). He admitted that Britisher wanted cheap tea, but at the same time it was better to ensure this preference by an agreement so that the British parliament would be prevented from altering it. Mr. James next referred to hides and skins and the disadvantages to the tanning industry if preference was not given.

Mr. Chinoy interrupted asking how much of hide and skins taken by United Kingdom from India was consumed in that country.

Mr. James said that he had not the figures. He further added that there was no fear of retaliation from foreign countries. He contended that those who would vote against the Agreement would vote against the first practical attempt made to expand export trade and to give a lead to the general lowering of tariffs throughout the world. He announced on behalf of the European group that they would consider favourably the proposal for a committee, provided delay was avoided, as time was the essence of the situation.

Mr. R. S. Sharma referred to interpellations in the House of Commons regarding the ratification of the Ottawa Agreement by the Assembly and said that both the question of Mr. George Lansbury and the reply of Sir Samuel Hoare were unfortunate. It would give an impression that the nominated members were already pledged to support the Ottawa Agreement because the Government dictated them to do so It is not a fact. The Government neither dictated them nor had they any right to dictate. If some nominated members voted for Sir Joseph Bhore's motion it was because they were convinced of the soundness of arguments.

Sardar Harbans Singh, speaking from the agriculturist point of view, said that the Ottawa Agreement did not benefit the agriculturists and therefore did not justify his support. Cotton was left out from preference and empire textiles were given preference to. The result would be that Japan which was the biggest consumer of Indian cotton would be adversely affected by preference on cotton textiles and might retaliate against Indian cotton.

The following compromise amendment which was unanimously adopted was moved by Sir Hari Singh Gour in the Assembly on the fourth day:—

"That for original resolution the following be substituted that the Trade Agreement made at Ottawa between Indian and British delegations be referred for scrutiny and report to a committee of the Assembly consisting of Sir Joseph Bhore, Sir Alan Parsons, Mr. S. Chetty, Seth Abdulla Haroon, Mr. F. E. James, Mr. Yamin Khan, Dr. De Souza, Mr. B. Das, Mr. C. S. Rangaiyer, Sir Abdur Rahim, Mr. H. P. Mody, Dr. Ziauddin Ahmed, Mr. Sitharama Raju, Nawab Sir Zulfiqarali Khan and Sir Hari Singh Gour, and with instructions to report by the 21st November 1932 and that further consideration of the resolution moved by Sir Joseph Bhore on Monday, the

7th November and the amendment thereon be postponed until the report of the committee has been presented to the Assembly."

CONSIDERATION ON THE COMMITTEE REPORTS

When the Assembly met to consider the Majority and Minority Reports* the President at the outset, pointed out that when the debate was previously held thirty-eight members had taken part in it. According to the standing orders, none of these could be allowed to speak again. The House had, however, appointed a Committee whose report was before it, along with an amendment by Sir Hari Singh Gour and three other members. The chair, therefore would adopt the procedure of calling on Sir Hari Singh Gour to move his amendment. This would enable the Chair to allow even those who had previously spoken to speak again provided they restricted themselves to the new matter brought out by the report of the Committee. Those who had not at all spoken on the subject, would be given latitude and those who were members of the Committee and had signed either the majority or minority reports, would be similarly shown a certain latitude. The others must restrict themselves to new matter.

Sir Hari Singh Gour moved his amendment asking the House to adopt the report of the Committee and recommended to the Government to give effect to the recommendations of the report. Sir Hari Singh Gour said that despite the extension of time to a fortnight, the select committee was unable to deal with the Ottawa Agreement with that exhaustiveness which the importance of the subject demanded but they were told that the matter was regarded by the other contracting party, namely, the United Kingdom, to be of an important character and that any further postponement of ratification was out of the question. The only alternative was .therefore, to give a verdict on the material before them. Sir Hari Singh Gour continued: "What we found was that both the opinions, whether the Agreement is advantageous or disadvantageous, to India, were speculative conjectures, based on guesses. Prof. Ghose, in his evidence has admitted this."

Sardar Sant Singh: I want a ruling from the Chair. The evidence tendered before the Select Committee has not been supplied to us. The Hon. Member may be reading only portions favourable to him.

• The President: The Chair's main object is to enable the House to come to a considered judgment on all the facts that can be placed before them. The Hon. Member's object can be met by two sides, the majority and the minority, being permitted to give as much information to the House as is possible in order to enable the House to reach a considered decision.

Sir Hari Singh Gour, resuming his speech, said: The fact is admitted on both sides, that from this Agreement, India is to gain something. The quantity of the gain is the only point in dispute. Even on the last occasion, many of us expressed the view that, on the data furnished, it was impossible to come to a conclusion whether the Agreement deserved to be ratified or repudiated . We conferred with our colleagues and were convinced it is to the advantage of India that the Agreement should be given a fair trial. We are not ratifying it for all times. In fact, after three years, we have given the Assembly a complete and decisive control over this Agreement— a precedent which the members of the House will be glad to appreciate.

Sir Hari Singh Gour continued: "Let me emphasise that this preference is not unconditional. Firstly our policy of protection of industries remains. Secondly, we have provided no additional burden to be placed upon the consumer and the tax-payer by reshuffling the Customs duties. Thirdly, we have made it a condition that the Government of India should

*These reports are incorporated in the *Fiscal* Section.

keep a watch on the trend of the prices to see how the Agreement works and submit every year, for the information of the House, a report supported by statistics. Fourthly, a committee of fifteen members of the Assembly is to be appointed to keep a watch on the course of trade and examine the annual reports and such representatives of agricultural, industrial and commercial interests as they may consider necessary. I consider this a net gain. Lastly, we have provided a degree of constitutional development in the country by making the Executive Responsible to the popular chamber in this matter. I consider these safeguards individually and collectively as entirely in the interests of India. We shall have a decisive vote of the House at the end of three years. I know there has been a great deal of agitation in the country, influenced in what degree by political considerations I know not. Even when our friends, the economists, denounced the Agreement, I could discern their political prejudice in the background. The question is not that we should prove that the Agreement is disadvantageous to England. The question is: Here is an Agreement. Can we give it a trial or not and in giving a trial, what do we stand to gain or lose? That is a narrow issue, and I invite the House to vote thereon."

Mr. Ramsay Scott promised his support to the resolution and appealed the Opposition to do likewise. It was clear to him that the door for recognition of the just claims of Indian industries was not closed and that industries requiring special consideration would receive sympathetic treatment from the Government. The speaker, however, saw in the resolution the case of the Exchange ratio over again, and predicted that, just as industries were slowly recovering from the havoc which occurred when foreign manufacturers were presented with a bounty of 12½ per cent as the result of the enhanced ratio, these proposals would administer a death blow to many of the struggling industries. He hoped that the Government would recommend to the House the acceptance of the principle of Empire reciprocity, with the proviso that any degree of preference granted to Empire products would be given by increasing the existing duties against foreign imports, and not by decreasing the duties on the products of the United Kingdom. The Government, on the other hand, had ignored the recommendations of the Fiscal Commission, and had paid no attention to the admirable example of the United Kingdom Import Duties Act of 1932, in which a provision had been made not only to protect the established industries, but also those likely to be established within reasonable time. With intimate knowledge of Indian industries, the speaker asserted that a reduction in the existing scale of duties, specially in the case of unprotected industries, would be highly detrimental.

Mr. Sadiq Hassan held that, although preferential treatment would help some articles, there was the great danger of retaliation by foreign countries. The price of cotton would fall. "We would lose" he said, "much of our market in foreign countries, although we could make some headway in the United Kingdom." Regarding imports, he said that the majority of the Select Committee had committed themselves to preferential treatment to British goods, without making any enquiries. He thought that aluminium and woollen industries were bound to be hurt. What India required was not preference, but industrialisation of the country, which would give employment to millions. As to the effect of the Agreement on consumers, he said they would have to pay higher prices for the benefit of the English manufacturers. The speaker had no objection, if the consumer had to pay a higher price for Swadeshi goods, because that would be indirectly providing employment for their own kith and kin. Concluding, Mr. Sadiq Hassan held that the Agreement was injurious to the best interests of the country, as

the Government of India, being subordinate to the British, would take good care not to develop Indian industries in the interest of the United Kingdom. In this connection, he pointed out that the Industries Minister of the Punjab once told him that his Department was starving for want of funds.

Raja Bahadur Krishnamachariar asked the Assembly to reject the Agreement. It was a case of 'Heads I win, and tails you lose.' He did not want to refer in detail to the painful story of the crushing of Indan industries, which was done even to the extent of cutting the thumb of Bengal workers. The speaker said that England got what she wanted at the point of the bayonet, because she asked: "If you don't agree to ten per cent preference, then we raise the duty from 15th December." But the Special Committee of the Assembly had produced a report which itself provided enough justification for the rejection of the Agreement. Running through several clauses of the majority report, Mr. Krishnamachariar drew pointed attention to the fact that no imports figures were examined. As regards wheat, the majority of the Committee had admitted that there would be no immediate benefit. Regarding cocoanut oil also, they did not give benefit, unless it was mixed up with something else. That was how they justified the case for adoption of the Agreement. India should refuse to give the Agreement a trial, with that knowledge of the history of the eighteen pence Ratio which to-day had been condemned by Mr. Ramsay Scott in the European Group.

Pandit Sen opposed the amendment on three grounds. Firstly he said, the Agreement would hamper the Swadeshi movement. Secondly, it would deprive them of the boycott weapon, which they might have to wield in case the forthcoming Constitution was inadequate and unsatisfactory. Thirdly, the Agreement, which was for diversion of trade, would cause disturbances which might crush India.

Mr. B. C. Burt who went to Ottawa as adviser to the Indian Delegation defended the majority report of the Assembly Committee. He refuted the argument of those who said that India would be unable to take advantage of the preferences because she could not increase production. Mr. Burt declared that there was no country in the world which, due to the soil and climate, had the same advantage as India in being able to vary crops according to changes in demand. He gave instances in support of his argument, and said that cotton was produced in 1920-21 in 21 million acres, which increased in 1925-26 to 28 millions acres and fell down in 1931-32 to 23½ millions. Similarly, the jute area was 21 lakhs of acres in 1923, increased in 1929 to 24 lakhs and in 1930 to 35 lakhs, while in 1931 it fell to 18½ lakhs. That proved conclusively the elasticity of the Indian crop production. He took next the case of groundnuts, in which Indian production of two million acres in 1921-22 had risen in 1930-31 to six million acres and the yield had trebled. He said "This, Sir, is in response to the increasing demand. The Indian cultivator is neither unable nor unwilling to take advantage of new markets."

Mr Burt, proceeding, said that there was a vast amount of waste-land in India but leaving that aside, there were about 50 million acres of land, as against 228 million acres of cultivated land, which could be brought under cultivation immediately, to meet the increasing demand. They had proof of this during the War. Another advantage of the Indian system was the double-crop area. The total of such area was 30 to 34 million acres, and during the War there was an improvement of 10 million acres in such area, of which U. P. alone used 8 million acres for double-crop. They were getting an addition of 12 million acres of newly irrigated area. Mr. Burt argued "I contend that an additional outlet for the produce is thus primarily essential. Let there be no mistake on this point, that the Indian agriculturist will

produce two crops to take advantage of the new outlet this Agreement will give him."

Mr. Sitarama Raju, Secretary of the Independent Party and a signatory to the Minority Report, said that if every member had been as broadminded as Mr. Sadiq Hassan, they would not be discussing to-day Sir Hari Singh Gour's amendment. The Leader of the Nationalist Party seemed to have secured legislative authority over the Executive, which all other leaders had failed for three years to achieve. Sir Hari Singh Gour had admitted that the Committee were unable to examine the imports side of the Agreement. But peculiarity lay in the fact that they had come to the conclusion that the Agreement was in the interests of India, and they wanted a three years' trial. The speaker continued: "May we ask, how can we afterwards restore the very conditions that exist to-day? Trade will be dislocated, finances will be upset, and vested interests will be created." Sir Hari Singh Gour had assured them that the consumer would not be hit. Yet, the majority report had stated: "We regard it as impossible to predict generally upon whom the cost of preference will fall." As regards the burden on the tax-payer, the only assurance was that the Government of India did not want any more revenue. Mr. Raju contended that article fourteen of the Agreement, as worded, did not leave them the choice of terminating the Agreement. He emphasised that, with a view to help industries in India, they would have to seek the consent of the United Kingdom to vary the rates and if that consent was not forthcoming, they would have to wait a year before any action could be contemplated. The main argument on the Government side had been to emphasise the agricultural point of view. Yet, the Government of India had told the League of Nations that India was one of the great Industrial States, who provided industrial employment to 60 million persons. Even in respect of agriculture, Mr. Raju read a statement by the President of the Oil Seeds Association who had stated after quarter of a century of experience, how the system of buying combines in England would prevent India from getting any benefit under the Agreement Mr. Lindsay had drawn attention to this aspect of the matter.

Mr. Raju referred to that part of the Majority Report in which the value of the trade held by India in United Kingdom plus the potential market was given, and commented: "Sir, others who have practised the same argument against the Agreement have been called dishonest". As regards Mr. Burt's argument, Mr. Raju held that it was primarily a question of capital that could be put into the industry, and it was not every kind of land that could be cultivated for every kind of crop. The speaker showed how in respect of wheat and rice, India could not benefit.

Dr. Ziauddin supported the ratification of the Agreement for three years He took full responsibility for that attitude after a study of the facts he had made, particularly relating to the possible increase in agricultural exports from India under the Agreement. He did not think that if India did not accept the Agreement, England would not retaliate. The liberty to retaliate lay as much with Britain, as with foreign countries. India's trade with the United Kingdom was four-and-a-half times the trade with foreign countries. No doubt, it was difficult to say exactly what would be the extent of the increase in trade, but certainly it would not diminish. Under the present exchange, in foreign countries India's goods were being imported at two-thirds the price which Britain paid for the same goods. Judged by money values, India's export would yield more. As for the effect on cotton industries, the Special Committee had found it a hopeless task, but he thought it all depended on how the Agreement would be worked. Nor was it easy to decide whether the price-levels would go down or go up.

But his study showed that taken as a whole, preference by this agreement to the United Kingdom, came to 2.35 crores, whereas India would obtain preference to the extent of 7.4 crores.

Mr. Morgan, supporting ratification of the Agreement, answered many of the points of the opponents. He told Raja Bahadur Krishnamachari that the British Import Duties Act with a ten per cent preference, was kept in abeyance until ratification of the Agreement, and therefore there was no question of Britain holding out a threat. As for Mr. Sadiq Hassan's history of cottage industries, Mr. Morgan said that India could not have had more cottage industries than now. Let not the Opposition, he said, allow political prejudices against Britain to warp their judgment. As Dr. Ziauddin had said India stood to gain by the Agreement, and if it was not ratified, Mr. Morgan said, he was convinced that India's loss would be great in respect of many items. He instanced the cases of coffee, wheat, jute, iron, coal and steel. Proceeding, he emphasised the opportunity given to the Assembly to examine the working of the Agreement after three years. As the United Kingdom was India's largest customer, the House should support the agreement.

Mr. H. P. Mody, at whose suggestion the Special Committee was appointed, supported the agreement in fulfilment of his pledge (Applause), as he was convinced that India's interests would be advanced thereby. He recognised that he had fallen from grace in the last three weeks (laughter), but he was prepared to stand up on any platform and face any number of professors, economists and businessmen and other critics, wise or otherwise. It was not a diversion of trade, but a definite increase in the volume of India's trade with the United Kingdom, that would result from the adoption of the Agreement. They all knew that ware-houses were glutted with every kind of stocks. Even in jute, which was India's monopoly, there was a glut. In commodities like wheat, rubber and coffee, India held fifty to one hundred per cent more stocks. The foreign markets which India used to command were dwindling, because of tariff walls and uncertain exchange, and India paid more in the shape of exports, for what they imported, than what they did prior to October 1929. Proceeding, Mr. Mody pointed out that Britain was India's largest and most stable market and if India did not take advantage of the preference offered, she would be placed on the footing with foreign countries. From the point of view of the future of the Indian industries, Mr. Mody justified the Agreement. He was glad that there were so many supporters of Indian industries. Hitherto, he had conducted a lonely fight and even to-day he was negotiating with the Government of India for safeguarding legislation to ensure to indigenous industries their rightful place. But he was glad that there were so many enthusiastic champions of indigenous industries.

Alluding to the argument of non-examination of the import figures, Mr. Mody pointed out that in the Select Committee to be appointed, he would see that every item was examined. If in respect of any industry, it was found that it would be hit, then protection would be given. And if they found that the consumers' interests were threatened, they would press for a reduction of duty rather than for raising it.

Lastly, Mr. Mody stressed the importance of the strong safeguard for the country and the valuable privilege conceded to the Assembly by the fact that this House would give a decisive vote at the end of three years.

Bhai Parmanand characterised Swadeshi and boycott as merely negative methods, and said that they could not help them beyond a certain point. The policy of protection was the best for India. He pointed out that the passing of the Sugar Protection Bill in the Assembly enabled the establishment of

nearly twenty-five sugar factories in India. The speaker was of the opinion that, if the professions of the Government proved, true, the committee of watch and ward, which was going to be appointed to watch the economic awakening in the country, would also prove a great blessing to Indian industries.

Mr. De Souza supported the Agreement, and pointed out that preferences were regulated in such a way as to benefit the agriculturists. If they could be of any use, this was the proper time to help the agriculturists throughout India who were passing through a period of unexampled economic depression.

Mr. Dhudhoria opposed the Agreement as one-sided. The fact that it could be terminated at six months' notice did not prove its utility. Once legislation was placed on the statute book, it would be difficult to replace it. He asked the House to imagine the effects of retaliation by foreign countries, a question which Mr. Chetty had evaded by saying that England would suffer most. Mr. Dhudhoria maintained that a comparison between India and Britain was irrelevant, as the nature of the two countries was different. The concession offered to India was illusory, while the concessions offered to Britain were substantial. Many British commodities admitted preferentially in India, would harm Indian manufactures. He concluded by saying that the merits of the Agreement were considered doubtful even by responsible persons in Britain, and referred to the recent resignation of Liberal Ministers in this connection.

Sardar Sant Singh said that the Assembly Committee did not carry any mandate from the House but had entered into negotiations with Government. Since the Committee themselves could not say the extent of the benefits that would accrue it was a useless leap in the dark. He dismissed Mr. Burt's and Dr. Ziauddin's suggestion regarding the scope for extension of wheat cultivation, and said that there would be hardly a margin of profit. Again, United Kingdom would only purchase when Indian wheat was sold at the world market price. Sardar Sant Singh contended that Britain refused preference to cotton, preference on which might have benefited the Indian agriculturist, while an illusory promise had been given of preference when India cultivated long and medium staple cotton. Here was an occasion for Britain to make a special sacrifice to India. Since the agreement was made, the price of cotton had fallen, as Japan had refused to deal in Indian cotton till the Ottawa issue was finally settled.

Sir Abdur Rahim was the first to speak to-day in the Legislative Assembly on the Ottawa resolution. He confined himself to answering the points made by the supporters of the Agreement, and concluded his half an hour's speech by expressing his conviction that the Agreement would injure the best economic interests of India. He realised that the Government had a larger majority on this question than they had on many other equally important matters. He did not attach importance to the views of Sir M. Yakub, because he (the latter) was a supporter of the Government.

Sir Mahomed Yakub retorted: You have been supporting the Government longer than I have been.

Sir Abdur Rahim: I supported the Government in all matters in which they had been in the right. I never hesitated to vote against the Government even though I was in a minority, provided I was convinced that the Government were wrong. Let Sir M. Yakub examine my record in the Bengal Cabinet, and he would find that I never hesitated to vote against the Government when they were in the wrong.

Proceeding, Sir Abdur Rahim complained that the Ottawa Scheme placed before the Assembly was not that of the Government of India, but the scheme

of the British Government, to whom the Government of India were subordinate. Even if the Government of India wanted to reject that Agreement, they could not, and the Government in the Assembly had a majority for such an Agreement.

Sir Abdur Rahim repudiated the charge made by Mr. Morgan that Mr. Sarda, Mr. Raju and the speaker were guided by political prejudice against Britain. The Minority Report itself belied that charge. On the other hand, Mr. Morgan in his enthusiasm for Empire Preference had been carried away into making a statement that jute-growers would benefit. Past experience belied this assertion, and whatever benefit they might derive was, so negligible that they could ignore it.

Regarding Mr. H. P. Mody's arguments, Sir Abdur Rahim felt sorry that such a shrewd businessman should have led himself to believe that the British market could be captured. Mr. Mody himself had experience how this was impossible regarding cotton industry, and he had been asking for protection often in the Assembly.

If that was the case regarding a well-organised industry, with capital what could be the position regarding unorganised, starving, illiterate agriculturists, who were a prey to middlemen? Mr. Mody had ridiculed the minority members for their faith in Indian industries. Perhaps, Mr. Mody found that the Treasury benches dominated the Assembly, and so wanted to placate those benches. Mr. Ramsay Scott was candid enough to state that while the Tata Iron and Steel Company and the Bombay cotton industry were protected, there were no other Indian indusries which were similarly safeguarded. As regards iron and steel, his information was that the Tatas sent a representative to London who came into some arrangement with manufacturing houses in Britain for galvanised sheets manufactured out of sheet bars. Mr. Dalal, their representative before the Special Committee, offered no opinion whatever on the agreement generally, while admitting that it was helpful to Indian iron and steel. The fate of the other industries was not known. In fact, he (Sir Abdur Rahim) had failed to obtain a list of industries which were struggling as against the favoured industries. There was no express provision in the Agreement to safeguard such industries. The policy of discriminative protection, deliberately and after examination entered into by the Assembly and India, might be set at naught by the Ottawa Agreement, which embodied Imperial preference against which Lord Curzon had set his face. Sir Geoffrey Corbett, it might be remembered, declared his opposition to the idea in the Imperial Conference. Yet, Dr. Ziauddin, who had a fascination for figures and balance sheets, had produced a statement of accounts which, whatever its mathematical value, had no economic significance. Dr. Ziauddin himself had, in effect, admitted that the Agreement was a leap in the dark. Sir Hari Singh Gour had talked of the safeguard of the Assembly voting after three years on the preference issue. Supposing the Assembly at that time had one-third of the seats filled by persons nominated for the Indian States, that House would surely vote for any scheme.

Mr. Shanmukham Chetty asked Sir Abdur Rahim to take the speaker's assurance that the procedure that was followed between the representatives of India and the British Government, was the same as that followed in the case of the Dominions. There was no doubt that in the case of certain Dominions, discussions started at an earlier stage. (Opposition: Hear, hear). But that did not mean that the procedure was different. In fact, certain Dominions like South Africa followed a procedure identical to that followed by India, and it was later recognised that concentration of discussion in

London directly between the representatives of the various Governments was more conducive to expediting business than discussions carried on by correspondence.

Mr. Chetty: The suggestion had been made that the Government of India were not a free agent. I am speaking with full responsibility and with a knowledge of the entire negotiations, and I can state with confidence that the Government of India and their delegates were free and acted in the freest possible manner. In fact, Sir, the proposals were initiated by the Delegation of the Government of India, and accepted by the Government of India. I must acknowledge the fullest liberty the Government of India gave to their delegates. I would be failing in my duty if I do not take this opportunity of paying my tribute to Sir George Rainy, to whose honesty of purpose the success of the Government of India's delegation was ultimately due. I can say if Sir George Rainy were sent as the plenipotentiary of the Government of India to negotiate a commercial treaty, I would sign that agreement blind-fold.

Sir A. Suhrawardy. That would be a leap in the dark.

Proceeding, Mr. Chetty said: I feel, India can be served better by men who combine honesty of purpose with experience and knowledge, than by men with blind patriotism, combined with ignorance and prejudice.

Mr. Chetty then dilated at length on the Supplementary Agreement relating to the Steel and Iron Industry, which was, beyond doubt, to the interest of India, and which would enable the industry to increase its production. It would also lower the cost of production. Mr. Chetty felt greatly elated at the fact that, as a result of a closed scrutiny of this trade agreement, his colleagues on the Special Committee were convinced that the Agreement was really in the best interests of the country.

Mr. Chetty concluded: I do not in the least doubt that a great volume of opinion in the country is behind Sir Abdur Rahim, but I am also confident that if that opinion has a similar opportunity to examine the Agreement as my colleagues on the Special Committee, it would be converted to the same view. Even if the majority outside the House is against me, I had to choose between the two alternatives of honesty and popularity and I had no doubt as to what alternative to choose.

Mr. Maswood Ahmed, opposing the ratification of the Agreement, asked how if India was unable to compete with Australian wheat within her own shores, it would be possible for Indian wheat to capture the British market against Australian competition. As regards hides and skins, he quoted the opinion of the Muslim Chamber of Commerce, Calcutta, wherein they had pointed out that the United Kingdom purchased but a little fraction of India's exports. If they adopted the Agreement and gave preference to Britain, the attitude of many foreign countries, especially that of Germany, the largest single customer for Indian hides and skins, would be biassed and they would retaliate. He feared that it would be disastrous if they imposed taxes on foreign goods instead of decreasing the taxes on British goods. Concluding, Mr. Maswood Ahmed warned the Government against a revolution if they were piling additional taxes on poor people.

SIR GEORGE SCHUSTER

Sir George Schuster intervened in the debate to deal with the broader aspects of the matter and to emphasise the real issue involved. He first gave the House an assurance that the schedules had been so framed that they would have no appreciable effect on the revenue returns and, therefore, no effect on the prospects of further taxation. The Finance Member also held

that the consumer would, in the long run, benefit through competition between the British and non-Empire goods.

As regards the suggestion that countries like Japan might retaliate, especially in the sphere of purchase of cotton, Sir George Schuster said that these considerations would have had some force when, at the request of Indian manufacturers, the import duty on Japanese piecegoods was increased to fifty per cent. That was a discriminatory measure of far greater intensity than anything that was contemplated in the Agreement. The result of that measure was that there was no fall in the demand for Indian cotton. In fact, no big exporter of primary produce in the world to-day was in such a favourable position as India, as regards the export of Indian cotton.

The Finance Member next dealt with the arguments advanced by the Opposition, that the present policy involved a departure from the Curzon Despatch. The Finance Member said that conditions to-day were entirely different compared to the political and economic conditions that prevailed thirty years ago. Even many of them who were free traders had to face the facts. Lord Curzon's own feelings in the matter were expressed in the House of Lords in a speech delivered on 23rd May 1908, when he explained that the Fiscal despatch of his Government was based not so much on economic as on political grounds, to ensure that India's interest was not subordinated to the British. But Lord Curzon, in that speech, had admitted the necessity for a preference system in the interest of India, provided such a system was evolved at an Imperial Conference where India had a free voice. Sir George Schuster continued: " I maintain, that those political conditions which Lord Curzon laid down, have been fulfilled and that the Agreement is in the best interest of India."

The Finance Member, however, added that the advantages of the Agreement paled into insignificance in comparison with the importance of the real issue. He said, "The real issue is this. Is India to join in the economic sphere of the British Commonwealth of Nations, or allow herself to drift from it and stand alone? I do not believe there is any Hon. Member of the House who, if he himself sat here and had to carry on his shoulders the responsibility of answering that question, can answer it in any other way than the way in which our delegates have answered it. I concede to Sir Abdur Rahim's complete honesty in the line of his attack, but he has taken a very easy line. He konws his vote is not likely to influence the actual result. India has to choose whether she will join in economic co-operation within the Empire, or whether she is to take the terrible risk of standing on her own and reject the proffered hand. If we had refused to take part in the Conference for economic co-operation within the Commonwealth, we would have committed the gravest possible dereliction of duty."

The Finance Member said that he had recently had an opportunity to travel over a greater part of the world. Amidst the tremors and dangers all over the world, he had discovered only one solid bit of land, namely, the territories working within the British group. " I believe," continued the Finance Member, that " the only sure foundation for finance and trade, as we have known it, is British credit, British honesty and British commercial integrity. Some people pin their faith on gold, but you cannot eat gold when it is no longer the basis of currency. Since the British Government decided to unlink their currency from gold, the sterling has become a reliable standard of value in the world. To-day, it is the sterling that is stable, and it is gold which is soaring in heights unrelated to any reasonable value in terms of commodities."

Sir George Schuster wanted to emphasise what this British foundation meant for India, by illustrating that, while Japanese Sterling bonds of six

per cent were being quoted in London at 68, 3½ per cent Indian Sterling bonds were quoted at 85, being 17 points higher than Japanese bonds. The Finance Member continued: "That is a very good indication of what being a member of the British group means to-day. It is not merely in India's direct material interest to be a member of the British Gorup. It would add strength to the group and help the world recovery from the present evils. As Mr. Neville Chamberlain had put it in moving the Ottawa resolution, if their attempt succeeded in taking the British Empire out of the morass, they could help other countries thereafter."

Mr. Yamin Khan supported the Agreement as a layman and as a producer. He said that as a member of the Special Select Committee, he was not impressed by the evidence which had made such a mark on Sir Abdur Rahim. What he had to look to was the interest of eighty per cent of the population which, for the most part, remained on the verge of starvation. They, he claimed, would gain by the Agreement. The Agreement would raise the level of prices in England and in the world, and thereby make it possible for the Indian producer to export his produce and make a little money. The speaker did not believe that Japan could retaliate over Indian cotton, unless she wanted to shut down her textile factories As regards wheat, Mr. Yamin Khan asserted that Australian wheat was not sold in an inland place like Delhi

Mr. Yamin Khan, proceeding, said that wheat determined the prices of commodities in India. Moreover, an appreciation in the prices of wheat would mean a rise in the level of the prices of wheat in England. The prices of wheat in the Indian markets in May and June last were the lowest, because there were no exports of wheat from this country. The Agreement would stimulate export of wheat from India, and their next move should be to urge for a reduction of freights to the ports.

Mr. Anklesaria opposed the amendment, and wanted ratification of the Agreement as suggested by Sir Joseph Bhore's original resolution. He even thought that the Committee served no purpose, as they did not add a single fact to the delegation's report. The Assembly could have got better information from the Commerce Department or by interrogating Mr. Burt, the Official Expert. Mr. Anklesaria said that the report of the Committee had nothing to commend itself on it, as it was halting in many places.

Mr. F. E. James, while supporting ratification for three years, expressed his disapproval of the proposal to appoint a committee of the Assembly to watch the working of the Agreement, as he preferred not a committee elected by the political parties, but something like the Imperial Economic Council for India, which would devise means for controlling production, organise expansion and co-ordinate efforts.

Mr. James, proceeding, met the four points of objection raised by the opponents. He quoted figures to show that India's present share of Britain's market was greater than the share of all the other countries within the Empire. Whereas India in the United Kingdom market got a preference ranging from 10 to 50 per cent, Britain was receiving preference to the value of 7½ to 10 per cent. As for the argument that the unprotected industries might suffer, Mr. James hoped the Select Committee would see that in any case where this could be proved, steps were taken to remove any injury that might be caused by a reduction of tariff in giving preference. If prices showed a tendency to rise as a result of the Agreement, then they could take advantage, thereof, for there were articles which could be produced only for export. In fact, the Agreement was a step in a regional effort towards economic recovery. It killed free trade, but also killed economic

nationalisation, and it was the foundation-stone of Empire economic development, paving the way towards world-recovery."

Mr. Gaya Prasad Singh protested that those records and documents which were made available to the members of the Special Committee were not made available to all the members of the Assembly. He asked the Commerce Member to make those documents public. It might be that those who now opposed might reverse their judgment, as certain members on the Special Committee had done. Mr. Chetty had admitted that the bulk of opinion in the country, was opposed to the Agreement. If it was so, then why were they afraid as representatives of the people to put forth the views of the people? It was possible to act in this matter both with popularity and honesty. The speaker refused Mr. Mody's charges that the members did not represent those small industries for whom they spoke. He pointed out to Mr. Mody how the Opposition had always helped the cotton industry, whenever he (Mr. Mody) came to the Assembly with the beggar's bowl for protection, however extravagant it was

Haji Abdullah Haroon, one of the Indian delegates to Ottawa, defended the Agreement as he was convinced of its utility to India. He did not agree with those who thought that Indian industries would suffer. He quoted figures to show that the Indian export trade with the United Kingdom had been improving since the last three years, while diminishing with foreign countries. As a businessman he regarded the retention of the British markets as important, as the giving up of 44 per cent of the Indian exports would be disastrous. Greece had recently prohibited sugar imports, except from the United Kingdom.

Mr. C. S. Ranga Aiyar supported Sir Hari Singh Gour's amendment for three years' ratification.

Dewan Bahadur Haribilas Sarda, a signatory to the Minority Report, scouted the idea that the Agreement was being attacked due to political bias, and said that if they had any, it was in favour of India. He continued that, so far as export to Britain were concerned, they need not be worried over the threat of Britain, as she would think twice before increasing the duty on raw materials and thereby increasing the cost of living to its consumers. He contended that by giving preference to English products and levying higher duties on non-British goods, India would be paying more for certain goods, resulting in an increase in the cost of production of Indian goods, which would not be able to complete favourably with foreign countries. It had been said that England had changed her angle of vision, but that was so, because it was in her interests to do so, and as she knew that circumstances had changed. Germany, America and Japan were outstripping her in the industrial field, and it was impossible for her to have advantage from free trade any longer

Sj. S. C. Mitra referring to Haji Abdulla Haroon's remark (that if all the facts placed before the Ottawa Committee were placed before the Assembly it would be convinced) wanted Sir Joseph Bhore to explain why the evidence had not been placed before the House. Mr. Mitra said that the Indian delegates were handicapped at Ottawa, as they had no opportunity to discuss the matter with Indian Chambers of Commerce and prepare a list of goods on which India wanted preference like the lists which the United Kingdom and the Dominions had previously prepared. Mr. Mitra said that the safeguards to which so much importance had been attached, would handicap the future legislature. England had changed her policy, as she was in a sad predicament and was anxious to get hold of the markets in the Dominions and the Dependencies.

Sir Zulfiqar Ali, argued that if India lost the present opportunity, the French colonies nearby, such as Morocco, Algeria etc., would gradually replace her in the foreign markets. An important problem which India had to face at present was to increase the purchasing power of the people and to reduce the cost of production of raw-materials. As for wheat, a reduction of the cost of production, was most necessary. He pleaded, both in the interest of the Punjab wheat-growers and of the Government a reduction and in the freight charges.

The Opposition had based their criticism, the Commerce Member observed, entirely on the economic theories of uncertain guides. He, for his part, was guided by what common sense had dictated him. If as a result of the preferences, India could sell more in Britain, then India's capacity to meet competition elsewhere would be stronger. An increase in the number of India's purchases in the United Kingdom, did not mean diminution in the purchases of Indian produce in foreign countries. This argument proceeded on the assumption that the volume of trade was fixed. On the other hand, as a result of selling more in the United Kingdom market, India's purchasing power would increase, and with every increase, there would be set in motion forces which would induce to bring wider and wider markets for India's produce

Sir Joseph Bhore contended that the economic limit of agricultural production had not been reached, and that the argument against the Agreement based on that theory, was but cynical indifference to the interests of the agriculturists in India. Many millions of acres of irrigable land were lying waste, and if these were cultivated, then there would be greater production, and the markets would be widened. If still, after some time, they found that the Agreement in actual operation resulted in loss, India had the right to stop the reciprocal preference. The six months notice clause was always there, a clause the like of which Sir Herbert Samuel wanted for Britain also.

Proceeding, Sir Joseph Bhore emphasised that the policy of protection stood, and nothing in the Agreement would be allowed to stand in the way of the application of that policy. Moreover, it was entirely open to India to decide what rate of duty should be put on a particular commodity. The members of the Ottawa Delegation had been attacked on the ground that they were not elected by the Assembly. Sir Joseph Bhore remarked that it was a terrible comment on the public life of India, if it was possible for any one to suggest that an elected member of the Assembly ceased to command public confidence, simply because he discharged a public duty at the request of the Government (hear, hear). Most of the objections to the Agreement were based on political grounds, and the Commerce Member asked the members not to allow their independent judgment to be influenced by views proceeding from such a source. If the amendment of Mr. B. Das not to ratify the Agreement on political grounds was accepted, then agriculturists' interests would seriously suffer.

Sir Joseph Bhore claimed that, by agreeing to three years' ratification and by providing for a committee, they had safeguarded the interests of the agriculturists and provided a sufficient safeguard . Dewan Bahadur T. Rangachariar had felt sorry that it was left to the first Indian Commerce Member to pilot such a measure. Sir Joseph Bhore said that Indian Members of the Executive Council, when they entered upon office, did not leave their conscience in their ante-chamber.

CRIMINAL LAW AMENDMENT BILL

The Criminal Law Amendment Bill, popularly known as the Ordinance Bill, was referred, on the 30th September, to a Select Committee con-

sisting of Mr. Yamin Khan, Mr. S. C. Sen, Babu Gaya Prasad, Mr. S. G. Jog, Mr. B. R. Puri, Mr. S. C. Mitra, Mr. Azaharali, Mr. B. V. Jadhav, Sir Leslie Hudson, Sir Muhammad Yakub, Mr. N. N. Anklesaria, Captain Lalchand Chaudhury and Mr. Haig with Sir B. L. Mitter, Law Member, in the Chair. The proceedings in connection with this reference are given in the second volume of the *Recorder*. The business of the committee was not carried on smoothly; as after seven days' sitting, on the 31st October, four members walked out of the committee meeting as a protest against the rulings of the Chairman. Those who walked out were Mr. Satyendra Mitra, Mr. Gaya Prashad Singh, Mr. Bhagatram Puri and Mr. Azahar Ali.

STATEMENT OF THOSE WHO WALKED OUT

In a statement to the Press they said that they were distinctly in a disadvantageous position from the beginning of the proceedings. As regards the strength of the two parties on the Select Committee, they were evenly balanced, seven being against seven. The Chairman who happened to be a member of the Government having a double vote, every contested point depended on the Chairman's casting vote. The statement continues, "The casting vote of the Chairman is the determining factor in every contested point. The Bill may therefore be regarded as if it has been referred conveniently to a small committee consisting of only one official member. It is an irony of fate that the Bill, as it comes from the Select Committee constituted as above, should practically be a one man made law, precisely like the Ordinances which the Bill is seeking to perpetuate." The statement here refers to the incidents in the Select Committee on Wednesday, October 27. It proceeds "The Government discovered during the morning sitting that there would be one vote less during the afternoon sitting owing to Mr. Yamin Khan being away to Meerut. At the close of the morning sitting the chairman coolly announced contrary to arrangements that there would be no afternoon sitting that day.

"The second incident happened on the 29th during the morning sitting. Clause seven had been under discussion on the previous day and the discussion being resumed, the opposition urged, that clause seven be totally deleted and the question be put first, because consideration of other amendments does not arise if the total deletion is carried. The chairman, however, allowed Mr. Yaminkhan to indulge in talking which, whatever its purpose, had the effect of enabling an unpunctual nominated member to arrive in consequence of whose absence the Government had one vote less. These methods were indulged in despite protests from the opposition members, and at the last stage when we walked out we pointedly brought to the Chairman's notice this indident. The chairman replied that he was not just putting the matter to the vote as he was determined not to enable the opposition to snatch a vote and he would not hesitate to wait another hour, if necessary. The moment the nominated member turned up, the matter was put to the vote and lost as usual by the casting vote of the chairman.

"We maintain the Chairman has not made the proper use of the casting vote which he always announced in the words 'of course my vote is with the Government.' We venture to think that constitutionally speaking the casting vote is intended to be given with proper discretion and full consideration for the merits of a question, and not as if it has been pledged already to the Government. We are constrained to remark that throughout the proceedings we were helpless in getting Government members to agree to any reasonable modification of the provisions of the Bill on any material point, and we realised that it was more or less a case of Government being

determined to carry the Bill with all its obnoxious features by the convenient use of the Chairman's casting vote despite the opposition which we could and did offer.

"In course of discussion on clause seven we urged that peaceful picketing, peaceful persuasion, peaceful argument and peaceful method of inducement for the purpose of promoting indigenous Swadeshi products and industries, should in all fairness be exempted from the operation of this clause. The chairman informed the committee that the Government were determined to suppress even peaceful picketing etc. and therefore, were not prepared to entertain any exemption such as proposed by the opposition. We observed that in view of the attitude and the fact that we were to be defeated by the casting vote, it would be futile for us to waste our and the committee's time any more, and rather than convince the unwilling 'majority,' we will prefer to urge our views before the Assembly in a better atmosphere. On Saturday, October 29 at the chairman's suggestion this particular question was postponed till Monday for finding a solution acceptable to the Government and the Opposition. The question was resumed on Monday and the proposal of the opposition which was to be incorporated as an explanation in the clause seven was worded as follows: 'peaceful persuasion or inducement which doesn't, or is not calculated to, involve any obstruction, violence, intimidation, annoyance or alarm to any person, doesn't come within the purview of this section.' This proposal not only had the unanimous support of the Opposition members, but Mr. Ankelsaria was the author of this explanation. It should be noted with the addition of Mr. Ankelsaria the respective strength of the parties became eight to six and if the matter was left to the voting, the Government were bound to lose. But it is to be recorded with the greatest disappointment that the chairman's ruling came to the rescue of the Government. We maintain that the ruling was wholly unwarranted and unconstitutional and the chairman acted wrongly in declining to put the amendment to the vote. It is also necessary to point out that an identical amendment was permitted to be discussed at the committee on the 29th without the chairman ruling it out of order, and even on the 31st a resumption of the discussion was allowed wherein th chairman and the Home Member took a prominent part. Finding that Mr. Ankelsaria was pressing for the amendment and was not prepared to withdraw it, the Government's attitude changed. The position of the opposition thus became wholly intolerable. As we realised that the method in which the casting vote was used was not only defeating our efforts, but also shutting out the legitimate sphere of discussion and amendments, we decided to leave the select committee under protest."

Three others of the Opposition who did not join the walk-out from Select Committee on Ordinance Bill were Messrs. Jadhav, S. C. Sen and Jog.

GOVERNMENT VIEW

With reference to the above statement following information with regard to points raised in that statement was available from official sources. The Assembly passed the motion for the Select Committee by 64 votes to 32. It would have been strange if majority view were not represented by the majority on the Committee, but in fact composition of the Committee gave half the members to the Opposition and when it was a matter of voting, Government could only secure their view if supported by all members not definitely in Opposition and making use of the casting vote of the Chairman. As regards the conduct of business this was arranged to suit convenience of all members. On the afternoon when Mr. Yamin Khan was to

be absent and the Home Member had an urgent business, no member of the Committee raised any objection to the proposal not to sit. In the same way when two Opposition members declared they could not sit on Friday on account of Dewali, though the official holiday for Dewali was Saturday, it was arranged by the consent of all members that the Committee would not sit on Friday, but on Saturday. As regards the incident of 29th there had been on the previous day a long discussion on various proposals for amending the section. The conclusion was postponed for further discussion next day. The next morning the Opposition proposed immediately that the whole section should be omitted and objected when the chairman allowed the discussion on this novel proposal. The discussion did not terminate with the arrival of the member who.was late, but continued about half hour more before the decision was taken. It was necessary that all members should have an opportunity for expressing an opinion on the proposal to omit completely one of the most important provisions of a Bill, principle of which had been approved by the Assembly by a large majority and the chairman insisted that on this point the committee should hear the Home Member regarding the necessity of retaining this particular provision.

As regards Government's attitude it is pointed out that Government members had agreed to modifications in every Clause of the Bill so far discussed in deference to views of members of the committee. The chairman's ruling with regard to the amendment amounted to direct negative of a portion of a substantive clause which had already been agreed to on the previous day. There was no question of the chairman's ruling saving Government from an awkward position.

Mr. Ankelsaria, when it was pointed out by the Government that the amendment would in fact have the effect of direct negative did not wish to press it.

SELECT COMMITTEE REPORT SIGNED

The Select Committee Report was, however, signed on the 6th November. Seven members including those who walked out appended a minute of dissent.

CONSIDERATION ON THE REPORT

The consideration on the report of the Select Committee was taken up on the 15th November on the motion of the Hon. Mr. H. G. Haig, Home Member. In moving the consideration, the Hon'ble member said:

The Bill is intended to apply to manifestations of Civil Disobedience. The various Local Governments have introduced supplementary legislation in their councils. Legislation of a more drastic character than this Bill has been receiving the approval of the local councils.

The Home Member re-called that, in agreeing to send the Bill to a select committee, he had made it clear that, while safeguarding that essential powers were not impaired, they would argue the matter out, as to whether certain powers had been too widely expressed. Mr. H. G. Haig claimed that the Government had fully met these obligations.

Firstly, they had limited the Bill to three years, while the Government's original view was to put no limit.

Mr. Haig next mentioned that extensive changes had been made in the definition of boycotting, and the section had been defined more clearly and closely.

"As regards picketing," the Home Member observed, "we have made certain changes, but we were definitely not prepared to go as far as those who wish to give a licence to peaceful picketing. There is little use in penalising picketing if at the same time we permit picketers to practise the very methods which are in fact most effective and most injurious. A picketer in a place like Bombay does not go out, armed with a lathi. He relies very much on more subtle methods. I shall make the position of the Government perfectly clear. What we are striking at is essentially that which is called peaceful picketing. I quite appreciate the argument that, on the face of it, it is a drastic provision, but the essence of the offence is the intention. We want to prevent him, by whatever method, from coercing his fellow citizens." Mr. Haig said that the next point on which the Select Committee had a long discussion was about guardians. He continued: "We were able to convince the members of the Select Committee that these provisions were not in fact so unusual and unprecedented as had been suggested in the course of an earlier debate in the House, and that in fact very similar provisions exist in certain provinces already in the Children's Acts. We did make certain substantial amendments in the section in deference to their argument." Certain offences were now to be tried, observed Mr. Haig, only by first class magistrates. A number of offences had been made bailable. Extensive changes had been made in the provisions relating to forfeiture of property and funds. The aggrieved party could now seek the judgment of the district judge whose decision would be binding on the Executive. Mr. Haig concluding, said, "These are the main changes we have made in the Bill."

Mr. Muhammad Sadiq Hassan moving for the circulation of the Bill for eliciting public opinion thereon, said that Indian opinion was definitely opposed to the measure. If there was no demonstration, it was because hundreds of leaders were rotting in jail. A drastic Bill like this affecting the lives of thousands of innocent people must be circulated, so that the people might know what its implications were. He was afraid that the Bill would hamper the work of the new Legislature. Once this legislation were placed on the statute-book, then even the new Assembly, which would be more representative, would find it impossible to refer it against the wishes of a conservative Upper House and the Governor-General. He appealed to every elected member not to harden their hearts against their own countrymen. They should fight every inch of the ground without yielding to the bureaucracy in this matter.

Mr. B. Das, supporting the circulation motion, referred to the Government's refusal to permit Moulana Shaukat Ali to interview Mr. Gandhi, and read out the portion of Lord Sankey's article in the NEWS LETTER in which he appealed for co-operation. The speaker asked the Government why they did not pay heed to the words of even their own statesmen. In the garb of suppressing terrorism, the Government were only trying to suppress peaceful Congress activities.

Mr. Goswami Puri moved an amendment that the Bill be committed to the same Select Committee, with instructions to report within a week. He considered that this method would give anothr chance to the Chairman and the members to adjust views and find out a via media.

Mr. Thampan supported the recommittal to the Select Committee, as it was unfair to allow such a vital question to be decided by virtue of the casting vote of the official Chairman.

Pandit Sen supporting the circulation motion said that when the Government were themselves guilty of terrorism, they deserved condemnation. Even at this late stage, conciliatory methods could be adopted.

Mr. Lalchand Navalrai supported both the amendments for circulation and recommittal to the Select Committee. He warned the Government against their present policy, which was alienating the sympathies of those who were still opposed to Civil Disobedience. The Government should take this opportunity by the forelock and adopt a policy of conciliation. On his side he could assure the Government that every body was ready for it.

Mr. S. C. Sen opposed the motion for recommittal to the Select Committee. He did not think much good would come out of circulation either. The Government attitude was made known by the Home Member, who said that he would not consent to amendments which would alter the provisions of the Bill into a pale shadow. Under the circumstances, the only course open to them was to pass many of the important amendments on the order-paper.

Mr. Gunjal said that the provisions of the Bill should be published in all the vernaculars, as people were now so conscious that any law made without their knowledge would be resented. He supported the motion for circulation.

Mr. Ranga Aiyar concentrated a great deal on the Press provisions of the Bill, and declared that just as the Indian delegates had gone to London to remove the foreign character of our Government, so it was the duty of the Indian Press in season and out of season to criticise the activities of the foreign Government. But whereas men like Mr. Churchill had the utmost licence to vilify Indians, the Indian Press could not attack the British in rejoinder. The fact of the matter was that the Government wished to kill the Press.

The speaker continued: "If a district officer bungles in a communal or political matter and he is criticised, the press which published the criticism is to be suppressed. You want us to perpetuate your Ordinance regime for such purposes for three years. The Government treated this legislature as an untouchable, and did not consult us when the crisis arose, but issued an Ordinance which overruled the Press law this House had made."

Mr. Ranga Aiyar cited as an instance the forfeiture of the security af the FREE PRESS JOURNAL, which had produced an article against Untouchability.

Mr. Haig: The action taken by the Bombay Government had no relation to Untouchability.

Mr. Ranga Aiyar: Did not the article refer to the Surat Satyagraha, and was not Mr. Gandhi allowed to publish it with impunity?

Mr. Haig: It was published by Mr. Gandhi in 1930 when there was no provision of this sort restricting the Press.

Mr. Ranga Aiyar: The Home Member gives away his whole case. He wants to deny the Press the freedom it enjoyed in 1930. Chain the platform, kill the Press and suppress the rights and liberties of the people—these are the objects of the Bill. The Home Member is optimistic in hoping that after three years there will be a change of Government. I say this Bill is meant to prevent that transfer of power. Concluding, Mr. Ranga Aiyar observed that peaceful picketing was an elementary right which should never be taken away, especially as this country had no tariff freedom and picketing was the only weapon to be used to prevent the dumping of foreign goods under the Ottawa Agreement. He appealed to his side not to move dilatory motions, but to have a straight fight to bury the Bill.

Mr. Anklesaria, referring to Mr. Sadiq Hassan's appeal to the elected members not to harden their hearts against their countrymen, said that, he as an elected member, would appeal to Mr. Sadiq Hassan, in his turn, to harden his heart and help the Government in protecting the countrymen against the worst tyranny of the Congress. He could not understand why they had forgotten so soon the riots, murders, arsons, raids and assaults on defenceless men, women and children, which had blackened the annals of this country for the last two or three years. By countenancing and defending the misdeeds of the Congress, they were aiding and abetting a large number of crimes.

Referring to the statement that the Bill strangled public liberties, Mr. Anklesaria said that it, on the other hand, ensured the right of existence to millions. Had the Government waited any further, they would have been guilty of a serious dereliction of duty.

Mr. B. N. Misra thought it was foolish for the Government to try to kill a movement in which the people believed. Despite all the attacks by the bureaucracy, the movement would nourish as did Christianity. He pressed for circulation of the measure.

Proceeding, Mr. Sarma said that the Government were only responding to the call of the Opposition, who themselves asked for a proper measure in the place of the Ordinances. It would be childish and dishonest for them to oppose it now.

Mr. Lahiri Chaudhury quoted extracts from Mr. Gandhi's correspondence with the Viceroy, to prove that the Government were wrong in assuming that Mr. Gandhi was opposed to co-operation. Those who walked out from the Select Committee did so because they felt it impossible to co-operate any further. The Government were using the powers under the Ordinance mercilessly in the districts of Bengal. How could they then consent to a permanent measure being placed on the statute book? There was no necessity for it when the Round Table Conference was sitting.

Dewan Bahadur Rangachariar, in the course of his speech, challanged the Government whether they had created the necessary atmosphere so that the reforms might be welcome or worked heartily. He said:—"You cannot continue to govern a country against its will. You cannot guard the houses with the police for all times." Continuing the speaker said that he did not deny the justification of some of the provisions in the bill, but added that justification was one thing and necessity quite another. He observed that such measures of the Government were demoralising to themselves to the people and to their officers.

Sir Leslie Hudson, supporting the Bill, said that it was intended to thwart the intentions of misguided people who had declared war against the Government by means of weapons like spreading disorder and disaffection, through the Congress papers, and to combat anarchy. He observed that conciliatory methods had been tried, but had failed and the Bill was intended to stop the loopholes existing in the law of the land.

Sir Abdur Rahim, speaking on the Ordinance Bill said that if the Government view was that there existed a state of war in this country, it is justifiable on the part of the Government to ask for and utilize powers for waging war against the Congress. Even those who did not subscribe to the Congress policy would not agree to any law calculated to suppress the liberties of the people generally. He considered that the original draft Bill and the Bill amended in the Select Committee remained the same in substance. Their fundamental objection to the Bill was that the present law was sufficient to cope with the movement or its manifestation. He said the Government must have had ulterior purposes for enacting this

measure viz. stopping all the political activities of the citizens of India. Proceeding the speaker said that their first object was to protect British trade by prohibiting picketing activities and the second was to place the Executive above the operations of law. They really wanted to arm the Executive with powers of a character which they possessed 150 years ago.

He reiterated that the Bill was not aimed at the Congress but was aimed at the liberty of the people generally. Public opinion was strongly opposed to the measure. In this connection the member read resolutions passed at public meetings and affirmed that the majority of the elected members of the Assembly were opposed to the measure. Government listened to the advice of their supporters on whose votes they depended. Otherwise the whole country was opposed to a legislation of this nature.

Mr. Bhagatram Puri opposing the Bill in toto said that, in connection with the walk-out incident from the Select Committee, he wished to make it clear that he and his three colleagues stood by every word and syllable of their statement. With respect to the clauses of the Bill, he stated that the offences previously bailable were made non-bailable. He added:—

Sir, again it is stated that the Bill was introduced to safeguard the future reforms. We don't know what those reforms will be, but supposing they do not remove certain evils you have got to criticise them for that. You must have liberty of speech and liberty of press, but under the provisions of this bill, even if a shadow falls upon a police officer it will be an offence. Or, supposing as the Home Member said, if a private individual invited all the people in a city but excluded the police he will be hauled up for boycotting.

Sir B. L. Mitter: On point of explanation I like to point out that Mr. Puri's remarks regarding clauses ten, eleven and thirteen are wide of the mark. Reading out the case decided by the Bombay High Court Sir B. L. Mitter stated that it supported him.

Mr. Singh read out numerous press reports of notices attempting to show that powers under the ordinances were abused by officials in all Provinces. As instances he referred to the declaration as unlawful association in Bombay of such institutions as "Swadeshi Pracharini Sabhas," anti-untouchability associations, Nationalist Muslim Party, National Christian Party etc.. He also alluded to "quit orders," internment orders, orders banning hartals, orders against abstaining from selling vegetables, etc.

He also objected to making peaceful persuasion a penal offence, because he feared that without such peaceful methods, Indian Industry could not be protected.

Continuing, Mr. Gayaprasad Singh stressed the fact that peaceful persuasion or peaceful picketing was a method recognised throughout the world. It should not be made penal. As regards the provisions relating to the Press, Mr. Gayaprasad referred to the Madras Government's objection to the publication of photos of Nationalist leaders, and said that it was an abuse of the powers given under the Ordinance. Concluding, the speaker said that the Bill as it had emerged from the Select Committee, was still open to grave abuses, and therefore, he opposed the motion for taking it into consideration.

Mr. Arthur Moore said that the European Group had no hesitation in supporting the motion for consideration. The Group, in general, had no enthusiasm for measures of this kind, but the fact remained that the Bill was the inevitable consequence of Civil Disobedience. While granting that the provisions of such a Bill were liable to be abused, he asked whether the ordinary law was capable of dealing with a revolutionary movement such as Civil Disobedience. He had no doubt that, in any country in the

world, any attempt to paralyse the administration would be met, as in the past, it had always been met, by a resort to measures of this kind. The Government had no choice in such a situation. It had been argued that the Ordinance had been so successful that to-day there was a general spirit of co-operation and, therefore, there was no necessity for a Bill of this kind. Mr. Arthur Moore maintained that that very argument was the justification for a Bill of this kind.

Let it not be forgotten that the Bill was only for a transitional period of three years, at the end of which period it would lapse, unless the next Government thought it necessary to prolong the life of the legislation. Mr. Arthur Moore, on the other hand, felt that a constructive spirit of nationalism was being displayed by some of the Congress leaders themselves, as a result of the measures taken under the Ordinance, which it was now sought to replace by the Bill only for three years.

Sir Abdulla Suhrawardy supported the motion for consideration of the Bill, and advised the House to reject the two dilatory motions.

It was not a legislative piece of impertinence, as imagined by Mr. B. R. Puri, Civil Disobedience alone was responsible for it. Peaceful picketing had led to riot and even bloodshed in many places. No honest Swadeshi propaganda would be affected by the Bill. As for the Press, Sir Abdulla Suhrawardy observed, that the existing legislation had failed to clap the real editors, but only fictitious editors who were prepared to go to jail. Regarding the argument about the doctrine of vicarious punishment in that parents were being penalised for the offences of their sons, Sir Abdulla asked if the House did not pass the Sarda Act, under which parents were to be penalised for the marriages of their sons or daughters of tender age.

Mr. S C. Mitra observed that he was opposed to the principle of the Bill. He did not admit that the Civil Disobedience movement could be crushed by any piece of legislation, such as the one before the House. He did not like any of the amendments either, because the Select Committee would meet with the same fate as the last one, and circulation, if meant as a dilatory motion, would not make any change in the attitude of the Government. The speaker did not believe that the Government's intentions could be correctly judged by the statements made in the House that the Bill was merely an emergency measure. The speaker asserted that the Government knew what sort of constitution India was going to have, and knew also that that constitution would not satisfy the national aspirations. Therefore, to deal with the agitation against the coming constitution, the Government were arming themselves in advance. He, however, warned them that a measure like the one before the House, would drive the Civil Disobedience movement underground, and might throw the non-violent resisters into the arms of terrorists. He, therefore, suggested that the Government should adopt conciliatory measures, and make a beginning by releasing Mr. Gandhi unconditionally. Mr. Gandhi, if he secured his release on the Government's terms would lose his leadership, and would cease to have any influence with the masses.

Sir Hari Singh Gour, critically examining the Bill, observed that the clauses in it tampered with their allegiance to the King. The English Common Law laid down that none could have his property confiscated without a judicial trial. That right was taken away under the Bill. He wanted the House to examine the Bill by applying the commonsense test, and say if there was anything in the Government of India Act which empowered them to take away that right. Three fundamental rights were conferred upon the British subjects wherever they lived, and on which was dependent the allegience of these persons to the King. These rights were attempted

to be taken away under the Bill. Sir Hari Singh Gour said that in England there was always an act of indemnity after an emergency legislation. There the acts of the Executive done during an emergency period were placed before Parliament. Under the present Bill those acts, however, illegal they might become, were sought to be indemnified in advance. Continuing, Sir H. S. Gour said that the district judges had been made the final authority for revision under the Bill. Thereby the High Courts had been deprived of the power of revision and appeal granted to them under the Government of India Act. Dealing with the provisions of the Bill relating to the Press, Sir H. S. Gour wanted to know if the Press Act had been given a fair trial and found wanting. It was only then that the Government could ask for more drastic powers. The speaker referred to the Home Member's remark that he would not accept amendments in the select committee which reduced the Bill to a pale shadow. Sir H. S. Gour claimed that the select committee had left it where it was, and all the provisions of the Ordniance had been re-enacted undiluted. Sir Hari Singh Gour warned the House that there was a great difference between an Ordinance and a Bill. In the case of an Ordinance, the Government were responsible for promulgating it and for the legality or otherwise of that measure. A Bill, when, it became an Act, would be administered under their names. Policemen making a lathi charge in the future might say that it was in accordance with the provisions of a Bill, which was enacted with the concurrence of the elected members of the Central Legislature. He, therefore, warned the members whether they were prepared to leave unlimited powers in the hands of the Provincial Executives. Sir Hari Singh Gour said that a defect of the Bill was that it would also be operative in tracts like Santhal Parganas, where the Civil Disobedience movement was never heard of. Earl Winterton has stated that the Congress was dead and Civil Disobedience was crushed. Where then was the need for the measure? He did not favour recommital to the select committee, but favoured circulation, and said that the Government would be in a better position next January, to carry the measure through.

HOME MEMBER'S REPLY

Mr. Haig, Home Member, replying to the debate on the motions for circulating the Bill and recommitting it to the Select Committee, urged the House to accept his motion to take the Bill into consideration as amended by the Select Committee. He observed:

"The Bill is directed against the Civil Disobedience movement. This movement is designed to paralyse the Government and in the course of its activities, endeavours to intimidate and coerce those individuals who do not agree with the Congiess. The Civil Disobedience Movement, in the judgment of the Government, is dying down, but it is still alive. Let there be no mistake about that. It will not end, in my own judgment, so long as the leaders feel that there is any prospect of gaininig their object. Nothing, Sir, is so likely to convince the leaders that they cannot gain their object, as the passing of the Bill and the Bills which are before the Provincial Councils. These Bills provide powers against which the Civil Disobedience Movement cannot prevail." We are passing through a period of transition. There could be no more disastrous legacy that we could pass on to our successors, than the triumph of direct action. Direct action is the greatest enemy of democracy. The principle of democracy is that a country is governed by argument, and by vote, and not by coercion. It is not Government by walking out or by lying down or by methods of obstruction, whether active or passive. If these methods gained prestige or success, just as this country is embarking on this enormous experiment in democracy, then I

only see disaster ahead. Our view is that powers must be taken for a period sufficient to see not only the end of the present Civil Disobedience movement, but that there is no chance of its revival at a time when power is being transferred. This weapon of Civil Disobedience, if successful would be employed under the new Constitution and would establish a tyranny of the type we have seen elsewhere in other countries, where a small group of men get power and dominate by coercion the masses of their fellow citizens. In the measures we are taking against Civil Disobedience we are not attacking the spirit of Nationalism, but only the methods of the Congress. It has been suggested, in the course of the debate, that we are taking these powers only to entrench ourselves, and have no intention of handing over power to the people of the country. Well, the third R. T. C. is sitting. The previous two sessions, have formulated far-reaching fundamental principles from which it is clear that real power is to be handed over to the people of this country. If we really intended to use these powers to resist reforms, we should have demanded this power as a permanent measure.

There were provinces where Civil Disobedience had taken a more formidable manifestation, and where supplementary legislation was required. Supplementary legislation was now being proceeded with successively in one local Legislative Council after another. If the Assembly did not pass the Bill, then the foundations on which the measures taken in the various Local Legislative Councils were based, would disappear. The number of convictions had been steadily decreasing, until in October it had fallen under two thousand. The number of persons in jail had been steadily decreasing every month during the same period."

Mr. B. R. Puri withdrew his amedment to refer the Bill back to the same Select Committee.

MOTION FOR CIRCULATION REJECTED

The House divided on Mr. Sadiq Hasan's motion for circulation of the Bill, with the result that the amendment was rejected by 63 against 40 votes.

Finally, the House divided on the Home Member's motion that the Bill, as reported by the Select Committee, be taken into consideration. The result was that 63 votes were cast in favour of the motion for consideration, and 39 against it.

The Bill was then taken up clause by clause on the 22nd November, and the discussion continued up to the 3rd December. Several amendments were put forward to each clause. Either these amendments were not moved or rejected or the clauses of the original bill were carried without division.

On the 7th December, the Legislative Assembly, having cleared the Ottawa issued out of the way, reverted to its debate on the Ordinance Bill.

THIRD READING OF THE BILL

Mr. Lalchand Navalrai, opposing the third reading of the Ordinance Bill, said that it was not at all necessary when the new constitution was in the making. The speaker appealed, to the Government to see that their officers and agents employed the weapon moderately. Referring to the Press provisions, Mr. Navalrai opined that the Press governed Governments in other countries. If one or two newspapers committed mistakes, for that reason it was unjustifiable to gag the entire Press in the country.

Sir Abdur Rahim condemned the dual policy of repression on the one hand and reforms on the other. The Home Member had stated that whatever the Government did was right. This meant that popular opinion did

not count. On that basis, the present Bill was all right. But the Government had been declaring their policy as one of conciliation. If so, the Bill was inconsistent with that declaration. As for the Congress it did not require this Bill, because its policy was not to escape the law but to face its penalties fully and fill the jails. So really, the Bill aimed at the political rights and liberties of the people. The pity was that even the Round Table Conference had approved of the proposal to extend this power to issue ordinances to Governors and furthermore, even pass Governors' Acts thereby superseding the legislature altogether. As for the present Bill, Indian public opinion was entirely opposed to it. "I am not an advocate of Civil Disobedience, having spent my whole life in the bar and on the bench helping the administration; but this is not the sort of legislation which would ensure peace and order or ensure the smooth working of the constitution, though it may suppress certain manifestations for the time being." Sir Abdur Rahim further contended that the bill had a general application to all people, not to one community or section only, and asked the Government not to take advantage of the unfortunate communal feeling and pass legislation which was opposed to all reason. At any rate, let them administer it with consideration and kindness and apply it against those only who actually infringed the law.

EUROPEAN GROUP

Mr. Arthur Moore, Leader of the European Group supporting the Bill said that there could be no better augury for working the new Constitution than the obvious fact of the sense of responsibility displayed not only by the Central Legislature but by the Provincial Councils. The Provincial Councils had been passing Supplementary Security Bills by large majorities, and in some cases without even a division. And this House, during the last fifteen months, had been giving the Government the necessary powers to deal with the abnormal situation. In this way, the Legislatures had been interpreting the wishes of a great majority of the citizens in the country, and had been giving support to the Government on the firm stand against lawlessness. This fact had proved that those who feared to give a larger measure of self-government to India were in the wrong. The Bill aimed at curbing those forces which were opposed to the realisation of India's aspirations, which were being diligently discussed at the Round Table Conference. But Mr. Arthur Moore urged the Government not to rest content with the passing of such necessary security measures but vigorously prosecute schemes for the creation of an economic survey for the development of the resources of the country, and he hoped that the provincial Governments would follow suit.

Mr. K. Uppi Sahib said the chief cause of the present unrest was British policy which had emasculated the people. Proceeding, Mr. Uppi Saheb reminded the House of the great help rendered by India during the Great War. India participated in the War not for her own benefit, but for England, who claimed that they were fighting for the liberty of the world. What did they get after the War?—repression, martial law and firing on unarmed crowds. Children in schools were often taught the benefits of British rule, but the irony of the situation was that people were beaten in the streets.

Mr. Haig, Home Member, winding up the debate, hoped that once these provisions were placed in the statute book for a reasonable period there might be, as time went on, less and less necessity to use them. It had been repeatedly explained that the sections dealing with boycott and picketing would only come into operation when an active movement necessitated this form of protection. Regarding the administration of the Press provisions,

the Home Member repeated his promise to address the Local Governments. To a large extent, he had regarded the Bill as an insurance against the re-crudescence of trouble. The less it was necessary to use these powers, the better he and all the officers of Government would be pleased.

ORDINANCE BILL PASSED

The Ordinance Bill was passed by 56 to 31 votes.

INDIAN TARIFF ACT

Sir Joseph Bhore introduced the Bill on the 7th December, to further amend the Indian Tariff Act of 1894, and moved that the Bill be referred to a Select Committee.

OBJECTS AND REASONS

Objects and reasons of the Bill state that a trade agreement was concluded at Ottawa on the 20th August, 1932 and a supplementary agreement regarding iron and steel made on the 22nd September by the Government of India and the British Government. Involving these amendments to the Indian Tariff Act, and for certain purposes a bill is now being introduced effecting necessary changes in the Tariff Act. Clause 4 of the Bill states that notwithstanding anything contained in section 4 of the Indian Finance Supplementary and Extending Act of 1931, the additional duty imposed by that section shall not be levied as collected on iron and steel sheets or any articles chargeable with duty under part 8 or 9 of the Second Schedule of the Tariff Act.

After Sir Joseph Bhore's motion for reference of the Tariff Bill to a Select Committee Mr. Ranga Iyer made some observations after which the President put the motion before the House and declared it was carried.

SELECT COMMITTEE REPORT

The following report on the Ottawa Tariff Bill was presented by Sir Joseph Bhore in the Assembly on 12th December :—

" Within the limitations imposed on us by the stipulated margin of preference, we have endeavoured to reconcile, as far as possible, the interests which may, in many cases, appear to conflict, namely, those of the primary producer, the manufacturer, the consumer and the tax-payer. We have felt throughout our discussions the need for complete statistics of industrial production, giving detailed information regarding the various indigenous industries which might be affected by the proposals contained in the Bill. Since the rates of duty proposed by the Government were published, a certain number of representations have been received from Indian industries regarding the manner in which they expected the application of those rates to affect their interests, and in a very few cases personal representations have been made to us. In the majority of cases, however, we have had no other material to guide us than the information which the Government departments concerned have been able to place before us. That information was necessarily incomplete, and we recommend that, as far as may be practicable, steps should be taken to collect and compile the statistics to which we have referred.

We feel, however, that, on the whole, our recommendations represent an equitable adjustment of the margin of preference.

We have inserted a proposal new sub-section (3-B) containing the rule (1) making power previously included in the proposed sub-section (3-A) of the Bill, and adding thereto a further rule making power which will enable the Governor-General in Council to provide machinery to facilitate the application of the new duties to goods on which preferential treatment is claimed,

but which arrive before the necessary proof of origin has been received. This will happen very frequently when the Bill first comes into operation. We have made consequential amendments in the proposed sub-section (3-A). We consider that the rules to be made under the sub-section should be laid on the table of the Assembly in the proposed new parts VIII and IX of Schedule II to the Act.

We have made the changes indicated below. The references are to items in the schedule as renumbered by us, except where otherwise indicated.

Items 176 and 177 of the Schedule as introduced—vegetable non-essential oils: A very large increase in the imports of coconut oil into India has recently taken place and still continues. We consider that particularly in the interests of Southern India, the coconut oil manufacturing industry is one of those which should be singled out for special treatment, both for the sake of that industry itself, and for that of the producer of coconuts. We have accordingly removed these items, and have inserted the commodities covered by them in the proposed part IX as items Nos. 225 and 224, making them subject to a standard rate of duty of 35 per cent, and a preferential rate of 25 per cent ad valorem.

Item 176 Seeds: We have not altered the rates of the duty proposed to be applied to copra, although some of us consider that in the interests of the grower of coconuts in Southern India, the lower preferential rate of duty should be the existing rate of 25 per cent.

Item 181: Among the chemicals covered by this item, are certain of the materials required by the glass manufacturing industry which can only be obtained from countries other than the United Kingdom and the Colonies or of which a very large proportion must be obtained from such other countries. The proposal contained in the Bill would raise the duty by 5 per cent ad valorem on those materials, the effect of which, in the absence of competition from the United Kingdom is likely to be to raise the price to the Indian Glass Manufacturer. It is the policy of the Government of India to keep the duty on materials useful for Indian industries as low as possible, and we have therefore removed from this item, the following chemicals: Cadmium sulphide, Cobalt oxide, Selenium, Uranium Oxide, and Zinc Oxide. We have included them in part IX as item No. 228, making them subject to a standard rate of duty of 25 per cent ad valorem (the existing rate) and a preferential rate of 25 per cent.

Item 187: This item includes unexposed cinematograph films which is a very important part of the material required by the Indian Film Industry. We consider that, in this case also, the preference should be given wholly by a reduction in duty, and have accordingly removed raw or unexposed films from this item, and placed them in part IX as Item No. 240 making the standard rate of duty on them 25 per cent ad valorem (the existing rate) and the preferential rate 15 per cent ad valorem.

Item 199: Woollen goods:—We heard the representatives of the Cawnpore Woollen manufacturing industry, and after a careful consideration of the facts they were able to place before us, have decided to give a preference on all articles included in this item, other than woollen yarn, for weaving and knitting wool, wholly by increasing the existing duty. The woollen manufactures comprised in this item have therefore been placed in Part IX as item No. 238 and made subject to a standard rate of duty of 35 per cent ad valorem and to a preferential rate of 25 per cent. We have made consequential amendments in items No. 180 and 198.

Item 203 of the schedule, as introduced—Asphalt: Much the larger proportion of imports of this commodity comes from countries other than British Colonies, and there appears to us to be a considerable danger of the

proposals made in the Bill having the effect of raising prices to the user in India of an article of considerable importance, particularly in the construction of roads. We have accordingly removed this item form part VIII and included it in part IX as item No. 239, making the standard rate of duty on it 25 per cent ad valorem (the existing rate) and the preferential rate is 15 per cent.

Item 214 of the schedule as introduced: Toilet soaps: since the proposals made in the Bill were published, the Government received a large number of representations from the Indian soap-making industry in various parts of the country, protesting against any decrease in the existing rate of duty applicable to toilet soaps from the United Kingdom. We have very carefully considered these representations and are of the opinion that special treatment of this highly promising industry is justifiable. We have accordingly removed this item from part 8 and placed it in part 9 as item No. 242, making it subject to a standard rate of duty of 35 per cent ad valorem and a preferential rate of 25 per cent (the existing rate).

Item 222: Lubricating oil: The existing rate of duty on lubricating oil is two annas one pie per Imperial gallon. A large proportion of the imports of this commodity in India come from countries other than the United Kingdom and if the duty is raised as high as three annas per gallon on non-British oil as proposed in the Bill, we consider that there will be a considerable danger of raising the price to the consumer in India of a commodity essential for many industrial and other purposes. We have accordingly reduced the rates of duty to 2½ annas per gallon for the standard rate and half an anna, for the preferential rate.

Item 230: Motor omnibuses, chassis of motor omnibuses, motor vans and motor lorries: In view of the importance of these articles to the development of road transport, we consider that they should be treated in the same way as motor cars and the preference on them given entirely by reducing the existing duty We have accordingly changed the proposed rates of duty on all articles included in this item to a standard rate of 25 per cent ad valorem and a preferential rate of 17½ per cent."

CONSIDERATION MOTION CARRIED

The discussion on the report of the Select Committee was taken up on the 14th December on the motion of Sir Joseph Bhore. The Bill with some amendments was passed on the 15th.

FIRST READING PASSED

Mr. Sitaram Raju speaking on the first reading of the Tariff Bill felt that it was a matter for examination and scrutiny by the Tariff Board whereafter the President put the motion before the House which was carried and thus the first reading of the Bill was closed.

DISCUSSION

Bhai Parmanand moved an amendment aiming that only genuine British products be given preference under Clause 2 and not as he feared the products likely to be bought by British manufacturers from other countries and be re-labelled as made in England for availing of such preferences and to be re-shipped to India.

Mr. Jog supported the amendment.

Mr. Shanmukham Chetty opposing the amendment said that the insertion of such word as "genuine" was superfluous as the delegates to Ottawa had considered that aspect of the question and there were in fact rules of other Empire countries like Canada and New Zealand whereby those countries determined the percentage of empire context of goods imported and the Government of India should follow suit.

Mr. Chetty:—Every article must be accompanied by the manufacturers' certificate and I take it that the Government of India will have their own agents in London to test whether these manufacturers' certificates are genuine or otherwise.

Mr. Jadhav opposing said this trickery was impossible now as England was no longer a free trade country and it won't pay British manufacturers to import from continental countries and reship those to India.

Sir Joseph Bhore also opposed the amendment whereafter Bhai Paramanand withdrew his amendment.

After this Clauses 2, 3 and 4 of the Bill were put and carried.

Mr. Jadav moved an amendment for fixing the duty on foreign oilseeds at 35 per cent and preferential duty at 25 per cent instead of 30 and 20 per cent respectively. But after Sir Joseph Bhore's reply he withdrew his amendment.

Mr. Thampan moved an amendment for fixing duty on foreign Copra at 35 per cent and on colonial at 25 per cent instead of at 30 and 20 per cent. He was supported by Messrs. Uppi Sahib and Ranga Iyer. Sir Joseph Bhore replied that consideration had been already shown cocoanut oil and unless Mr. Thampan showed by facts and figures why the existing Copra industry cannot thrive according to the revised scale of duty, Sir Joseph Bhore could not accept the amendment which was put to vote.

Mr. Jadav moved an amendment that the duty on British and foreign cutlery be raised to 25 per cent and 35 per cent respectively which was opposed by Sir Joseph Bhore and eventually negatived.

On the following day, howevetr, Mr. Jadhav withdrew the four amendments standing in his name after which Mr. Ramkrishna Reddy moved his amendment that the duty on British mineral oil and on foreign mineral oil be fixed at two annas and one pie respectively per imperial gallon instead of, two annas and six pies respectively.

Sir Joseph Bhore opposing said the question was carefully considered by the Select Committee and if the amendment were now accepted, it would result in the heavy loss of revenue due to a large quantity of substitute oils dumped into the market.

DUTY ON BOOTS

Mr. Jadav moved that duties on boots and shoes from foreign countries and on those from Britain be increased to 35 and 25 per cent 'ad valorem' respectively.

Mr. Jog supporting, said that if some check was not imposed upon the imports of boots and shoes from foreign countries and Britain, indigenous industry would be paralysed and many thousands of Indians who are making their living on it, will be thrown out of employment.

Sir Joseph Bhore opposing, said Indian manufactured boots and shoes hardly competed with those imported from abroad. The varieties of shoes and boots from abroad are always of superioı quality. That being the case and there being very little competition, the Select Committee decided to retain the duty at 30 and 20 per cent on foreign and British boots and shoes respectively.

The amendment was put to vote and negatived.

REDUCTION OF DUTY ON MOTOR CARS

Mr. Ramkrishna Reddy then moved that the ad valorem duty on motor cars, including taxi cabs, from foreign countries and from Britain be reduced to 32½ and 25 per cent ad valorem respectively. Mr. Reddy's contention was that high licensing fees are charged by local and District Boards for motor omnibus. Nevertheless motor cars are being increasingly

used for transport purposes all over the country but the duty being so very high notwithstanding the demand for motor cars, import figures have fallen considerably.

Mr. Morgan supporing the principle of Mr. Reddy's amendment, said whenever the Government was approached for reducing duties on motor cars, it was suggested that fall in imports was due to contraction in purchasing power, but he thought that it might also be due to high import duty. He, therefore, would ask the Finance Member to reconsider the whole position.

Sir Joseph Bhore opposed the motion which was put to vote and negatived.

DUTY ON CINEMATOGRAPH FILMS

Mr. Ramkrishna Reddy moved an amendment for fixing the duty on cinematograph films at 15 per cent on non-Imperial and 5 per cent on Imperial goods instead of 25 per cent and 15 per cent respectively as proposed in the schedule to the Tariff Bill. Messrs. Jog and Lalchand Navalrai supported the amendment.

Mr. Jadhav supporting said the Indian film industry deserved encouragement at the hands of Government as it was a great national asset and giving opportunities to all sections of the community to show what they were capable of doing and it was proving profitable employment to a large number of people.

Sir Joseph Bhore replying said he received a deputation of the film industry a few days ago and their representation was receiving his careful consideration.

Mr. Ramkrishna Reddy said that in view of what had fallen from the Commerce Member he wished to withdraw the amendment which, however, was refused admidst laughter all over the House. The amendment was then put and negatived.

DUTY ON FOREIGN BETEL-NUTS

Another amendment by Mr. Ramkrishna Reddy seekly to reduce the ad valorem duty on betel-nuts from foreign and British colonies to 35 and 27½ per cent was also negatived.

SECOND READING PASSED

After this the President put that schedules, preamble and clause 1 stand as a part of the Bill which was carried.

Sir Joseph Bhore immediately moved that the Bill as amended be passed.

Opposing Sir Joseph Bhore Sir Abdur Rahim said:—"I feel very strongly about the report of the Select Committee which does not re-assure us to any extent whatsoever and the position remains as obscure as before and as full of risk, real risk to consumers and industrialist alike as ever We do not know what the next budget will be like. To me it seems that the entire system of customs revenue and the revenue position of the Government of India will be unhinged and fresh proposals for taxation will have to be mooted very soon."

Mr. Sitaram Raju opposing said the Opposition had great hopes of protecting the interests of the agriculturists, but due to misguided tactics of many members, they were defeated. He said there would be severe retaliation from foreign countries endangering Indian exports.

Mr. Ranga Iyer supporting, wondered how Sir Abdur Rahim and Mr. Sitaram Raju would have now opposed the passage of the Bill when they both signed the Select Committee report which meant that they accepted

the principle of reciprocal preference. He said the Standing Committee on the Ottawa Agreement appointed by the Assembly would certainly look after the best interests of the country.

Mr. Satyen Mitra opposing, said the position of both Sir Abdur Rahim and Mr. Raju was perfectly in consonance with the convention of the House. It was the practice of every constitution of the world, including British Parliament, that members of the Opposition could serve on Select Committee without subscribing to the principle of the Bill.

Sir Joseph Bhore replying, said, "We were inspired by the belief and honest conviction that what we were doing was in the best interests of the country. As to the point raised by Sir Abdur Rahim that the finances of the country will be unhinged, on that point, we have the assurance of the ex-Finance Member that it will not be so. There will be, little or no change in the financial position of the country."

After this the motion that the Bill as amended be passed, was carried without division, the President then adjourned the Assembly sine die.

INTERPELLATIONS

NOVEMBER 7, 1932

COMPULSORY LEAVE FOR RAILWAY SERVANTS

Replying to Mr. S. C. Mitra, Mr. P. R. Rau, Financial Commissioner of Railways, said:—

"I would refer the Honourable Member to the statement summarising the discussions between the Railway Board and the All-India Railwaymen's Federation held on the 13th and 14th June 1932 and the Railway Board's letter No. 381-L dated 2nd August 1932 and containing the decisions of the Government of India on suggestions made by the Railwaymen's Federation. The main alternatives to the method of discharge of surplus staff that were proposed by the Federation were: (1) the grant of compulsory leave without pay and (2) borrowing from the Depreciation Fund. These suggestions had as their object not only the avoidance of further discharges, but the re-instatement of employees discharged last year. The Government of India were unable to consider any suggestions made with the object of reinstating the employees discharged last year. They were also unable to accept the proposition that money should be borrowed from the depreciation fund in order to avoid discharging staff surplus to requirements, which would, in their opinion, amount to the grant of an unemployment dole from the public revenues for the solid benefit of railway servants.

With regard to the proposal to avoid further discharges by the adoption of a method of compulsory leave by rotation, they consulted the Railway Administrations, who were generally not in favour of adopting this procedure, in order to avoid discharging staff permanently in excess of the requirements, though certain administrations were prepared to consder its adoption when the staff were temporarily in excess of requirements and when their services were likely to be required again before long. The Government of India did not consider that it would be justifiable to ask the staff who were in no danger of being retrenched and who were already subject to the emergency cut in pay, to agree to the further wage cut entailed by compulsory leave by rotation.

While, however, the Railway Board were unable to accept this suggestion of the Federation as a general alternative to discharges, they have authorised such railway administrations as wished to do so to adopt the method as an alternative in definite categories when the financial effects of

both the methods were approximately the same. They have also agreed at the request of the Federation, to voluntary retirements being permitted on special terms up to the 31st October 1932 from units in which there was no surplus, but where there was a waiting list of men discharged with the object of facilitating the re-employment of the latter. Finally, they have asked railway administrations, to make allowance for normal wastage and to adopt other suitable expedients to minimise discharges as far as may be reasonably possible. These, with the special terms that have been offered to induce voluntary retirements, have resulted in the anticipated number of persons to be discharged in the course of the present retrenchment being very materially reduced. While the surplus staff, including those likely to become surplus in the near future, was estimated in January last to be 11,959 employees, the total number of employees it has so far been decided to discharge is only about 1,900. This however does not include a surplus of nearly 1,000 employees on the Bengal Nagpur Railway and 700 in the Engineering Department of the Great Indian Peninsula Railway, but it is expected that the staff to be discharged out of these surpluses will be reduced by voluntary retirements and transfers to other suitable posts, so that the total of the staff to be discharged will not. it is anticipated, exceed 3,000 employees and may be less.

NOVEMBER 8, 1932

MUSLIM CONVICTS IN C. D. MOVEMENT

Mr. H. G. Haig, Home Member replying to Mr. Maswood Ahmed, said the information regarding the number of Muslims convicted for Civil Disobedience was not available, and he did not consider it desirable to put the Local Governments to the labour of collecting it. Fiftysix Ahrar prisoners were in jail.

The Home Member did not agree with Mr. Maswood Ahmed's suggestion that once the movement which caused imprisonments died out, the prisoners should be released.

THE QUESTION OF RATE WAR

Dr. Ziauddin Ahmed raised the question of the rate-war between the B. I. S. N. Company and the Bengal-Burma Steam Navigation, and urged that the mail contract be given to the latter.

Sir Joseph Bhore replied that the next contract would be entered into on the result of open competitive tenders.

Mr. K. Ahmed: What action do the Government propose to take on the resolution passed by the Assembly last session, for fixing the minimum rates for coastal shipping?

Sir Joseph Bhore: The Government cannot give effect to it.

NOVEMBER 9, 1932

COMMUNALISM IN POSTAL SERVICES

Most of the questions answered in the Assembly to-day related to communal percentage in the Services of the various departments of the Government, especially the Director General of Posts and Telegraphs, Director of Contracts and Army Headquarters and the unrest amongst the staff of the Simla Post Office. No definite information was elicited from the Director General.

Replying to Mr. Maswood Ahmed's question Mr. Haig stated no "dictators" of Jamait-ul-Ulema Hind were arrested in Delhi in 1931. Three

have been arrested till the 31st August, 1932, one put in "A" class, and two in "B" class.

INDIAN DOCTORS IN CEYLON

Replying to Mr. Thampan, Mr. Bajpai stated the Government had seen a report in the news-papers regarding the non-recognition of Indian Medical degrees by the Ceylon Government and were making enquiries.

Replying to Mr. Thampan, Mr. G. S. Bajpai stated, "It is not the Ceylon Government that adopted this procedure. Ceylon follows the decision of the General Medical Council of Great Britain which does not recognise Indian medical qualifications.

Mr. B. Das: Will the Hon'ble Member inform the Ceylon Government that India will retaliate if Ceylon does not employ Indians in their medical service? Has any Ceylonese medical graduate been employed in Indian since 1930?

Mr. Bajpai promised to enquire.

Replying to Mr. S. C. Mitra, Mr. Tottenham stated that out of 20 appointments in the offices of supervisors and army headquarters 19 were held permanently by Europeans and one by Indian, because the practice of employing Indians to higher grades in the Army headquarters was comparatively of recent origin.

An inportant resolution of which notice is going to be given by Sir Frank Noyce requests the Assembly not to ratify the Draft Convention regarding the age and admission of children in non-industrial employment which was adopted by the sixteenth session of the International Labour Conference.

OFFICIAL REPLY

Replying to Mr. Thampan, Mr. Bajpai said that the procedure adopted by Ceylon against Indian medical degrees was not sanctioned by the Ceylon Government, but was based on the decision of the General Medical Council of Great Britain.

Mr. Thampan: May I know whether the standard of medical examination in Hongkong, Straits Settlements, etc., is superior to the Indian medical standards?

Mr. Bajpai: I am quite prepared to accept the suggestion that Indian qualifications are superior, but registration in Ceylon is regulated by the provisions of the General Medical Council Act of Great Britain. Our Bill, when passed, will enable us to get over the difficulty.

RECRUITMENT TO POSTAL DEPARTMENT

Dr. Ziauddin Ahmed suggested, through a question, that the order regarding Muslim recruitment to the Post and Telegraph Department be revived.

Mr. Ryan, Director-General, Posts and Telegraphs, replied that these orders were cancelled because they were inconsistent with the Home Department's order on the subject of recruitment of minorities.

STEAMSHIP CONTRACTS

Replying Mr. Mahsud Ahmad's question on the report of British shipping companies getting subsides or subventions from the Government of India and the payments made to the British India Steam Navigation Company, Sir Frank Noyce referred to the Copies of contracts with the British India Steam Navigation Company and the Irrawady Flotilla Company, adding that the existing agreement for rendering certain services by the River Steam Navigation Company and the Indian General Navigation Company,

was made in 1931 and was being embodied in the form of contract, which had not yet been executed.

ANDAMANS

Mr. Haig, replying to Mr. Satyendra Mitra, on the question of the transfer of political prisoners to the Andamans, said that the Government made a decision on the subject only nine days previous to the actual date of the transfer of the first batch of prisoners. The Inspector-General of Prisons received the orders for transfer and collected the prisoners in the Alipore Jail and as the steamer for the Andamans was to leave on August 15 he fixed that date for the transfer.

Regarding future transfers, Mr. Haig stated that the probable date of the next transfer would be January 1933. The number of the prisoners to be sent had not been fixed Facilities for interviews with the relatives of those who are to be transferred would be provided early before their departure as far as possible.

NOVEMBER 15, 1932.

ARRESTS AND CONVICTIONS

Replying to Sardar Sant Singh regarding arrests and convictions under the Consolidated Ordinance of 1932, Mr. Haig stated that the number of persons convicted, not necessarily imprisoned, for offences in connection with Civil Disobedience from July 1 to the end of September 1932 total led 1680, including Bombay 422, United Provinces 348, Bihar and Orissa 618 and the rest in other provinces. The number of persons arrested under Section III of the Special Powers Ordinance during the same period was 396.

INDIAN MEDICAL COUNCIL BILL

Replying to Mr. Lalchand Navalrai, Mr. Bajpai stated that a provision had been made in the Indian Medical Council Bill for schemes of reciprocity with authorities outside British India and for withdrawal of recognition from any prescribed medical qualification if necessary. The Government, after very careful consideration, concluded that the only feasible course was to recognise those qualifications, whether Indian, British or foreign which, in the opinion of a well-established organisation, indicated attainment of the adequate standard.

NO SURCHARGE ON IMPORTED WHEAT

Replying to Sardar Sant Singh, Sir Alan Parsons, Finance Member, stated that during 1931 the wheat imported into India was 245,115 tons. From January to September 1932 nothing was imported.

Replying to a further question that the surcharge enacted by the Supplementary Finance Act of 1931 was not levied on imported wheat, Sir Alan Pasons said there were no imports after the Supplementary Finance Act was passed and the Extending Act came into force. Had there been imports surcharges would have been applicable.

REFUSAL OF PASSPORTS

Mr. H. A. F. Metcalfe, Foreign Secretary, replying to Sardar Sant Singh, stated that there were no statutory rules or orders governing the issue of passports. It was not compulsory for persons proceeding from India that they should be in possession of such documents but as passports are demanded of travellers by the authorities of foreign countries these are issued according to rules framed by the Government ot India for the guidance of passport-issuing authorities. These rules provide for refusal of passports on political grounds.

LOWERING OF PETROL PRICES

Replying to Sardar Sant Singh's question regarding the price of B. O. C. petrol in London and Calcutta, the Commerce Member stated that the petrol produced in the oilfields of India and Burma under the control of the Burma Oil Company was not sold in London. Hence a comparison of prices was not possible.

Sardar Sant Singh then asked whether Government's attention had been drawn to the lowering of petrol prices in Bombay and Poona recently due to the import of Russian petrol and whether Government were prepared to afford facilities for such import into other towns.

Sir Joseph Bhore: Government have seen press reports but he was not aware of any special facilities having been given by Government.

USE OF KIRPANS

Replying to Sardar Sant Singh's demand for exemption of "Kirpans" from the operations of the Arms Act in British India, Mr. Haig stated that all arms except firearms were excluded from the operation of all prohibitions and directions contained in the Arms Act but Local Governments were authorised to retain such prohibitions in respect of particular persons and areas. Under this authority certain restrictions were placed by the Governments concerned.

Replying to Mr. Ramsay Scott, Mr. Haig said that while the Government were anxious to encourage Indian industries, they considered it legitimate that jail manufactures should be used as laid down in the Government resolution of 1922.

Replying to Mr. Lalchand Navalrai, Sir Joseph Bhore said that it was understood that there were British factories in India manufacturing aluminium ware and also that Canadian interests had financial control over another factory but the Government had no complete information regarding the number and the locality of such factories.

FOREIGN INTERESTS IN INDIA

Replying to Mr. Lalchand Navalrai, Mr. Tottenham, Army Secretary, said that the Canteen Contractors' Syndicate was formed in 1928 at Karachi with the main object of ensuring that the articles sold to the canteens were of good quality and for providing, in peace time, an organisation which could be relied upon to maintain efficient canteen service in war time. Further, Government had nothing to do with the management of the business of the syndicate and could interfere only in the event of serious disagreement between the managing director and the board of directors on matters affecting the welfare of troops or their interests. Government had no reason to believe that any measures were necessary to safeguard the interests of those who were desirous of doing business with the syndicate.

Replying to Mr. Ramsay Scott regarding the purchase of two ships for sinking to act as breakwater, Mr. P. R. Rau, Financial Commissioner of Railways, stated that one ship, purchased in England, cost £8,500 and another in India cost £3,000. The difference in cost was due to the expense involved in navigation, first from England to Vizagapatam.

NOVEMBER 16, 1932.

NEW GOVERNMENT OF INDIA BILL, 1933

Replying to Mr. Nabakumar Singh Dudhoria's question regarding the alleged preparation of the New Government of India Bill in 1933, Sir Bro

jendra Lal Mitter stated: "The Government have seen statements to that effect, but I assure the House that there is no foundation whatsoever for them. The procedure which the British Government proposed to adopt has been explained by His Excellency the Viceroy in the course of his address to the Assembly on September 5 last. I would also invite the Hon'ble member's attention to the report contained in Reuter's message of November 8 of the statement made by the Secretary of State for India in the House of Commons that the whole purpose of procedure of the Joint Select Committee is to obtain full observation and criticisms of Government proposals to be put forward in the form not of a Bill, but of a White Paper by Parliamentary and Indian representatives before the Government of India Bill is introduced in Parliament. The statement just made should be sufficient to dispel any doubts which may exist in the public mind and the Government do not propose to issue any communique on this matter."

WHY "COOLIE" WAS HELD UP

Replying to Mr. Bhupat Singh's question regarding the delivery of a package of Diwan Chamanlal's book "Coolie," Mr. P. R. Rau stated as there was no export duty on books, it is unlikely that the Customs Department examined the book.

Mr. Bhupat Singh asked: If the Government received complaints regarding the unfair rates charged ?

Mr. P. R. Rau: The matter is under the investigation of the Railway Rates Advisory Committee.

"BUY INDIAN" MOVEMENT

Replying to Mr. Bhupat Singh's question regarding the speech of the Minister of Local Self-Government, Bombay, regarding the "Buy Indian" movement, Mr. Haig stated that the Government have seen a Press report and drew attention of all local Governments to the letter from the Private Secretary of His Excellency the Viceroy of April 11 last.

ROAD-MOTOR RIVALRY

Replying to Mr. Bhupat Singh, Sir Frank Noyce stated that the problem of road-motor competition with Railways was receiving the attention of the Government for some time. The Government have instituted an enquiry by a small committee of two officers whose report in this connection is being awaited. On the receipt of that report the Government of India propose to convene a conference of representatives of local Governments, Railways and other interests to devise a co-ordinated policy.

VOTING ON OTTAWA BILL

To a question of Mr. Sitaram Raju whether the decision of the Ottawa Agreement would be left to the vote of non-official members of the Assembly, Sir B. L. Mitter replied in the negative.

ALLOWANCE TO OTTAWA DELEGATES

Replying to Mr. Nabakumar Singh's question regarding the allowances to the Indian delegation to the Ottawa Conference Sir Joseph Bhore stated that non-official delegates including Sir P. Ginwala, Mr. Shanmukham Chetty, Mr. Abdullah Haroon and Mr. Abdus Samad drew personal compensatory allowance of £ 100 per month. Sir P. Ginwala drew £ 437, Mr. Chetty £ 463, Mr. Haroon £ 363 and Mr. Samad £ 316; while Sir George Rainy drew £ 853, Sir George Schuster £ 719. Information regarding the actual hotel allowance and voyage allowance has not yet been received but a compensatory daily allowance of 25 shillings to each member except Sir George

Schuster was given and a night allowance while in Canada besides an outfit allowance of about £ 38 was paid to Mr. Shanmukham Chetty. Exclusive of of the pay and allowances of the Secretary and expert advisers, the total Secretariat staff cost £ 1,069. There was not any Indian secretariat.

FEMALE TERRORISTS

Replying to Mr. Sukhraj Roy regarding transfer of women prisoners to the Andamans, Mr. Haig stated that the principle has been accepted for sending out female terrorist convicts to the Andamans should it be considered desirable

R. T. C. EXPENDITURE

Replying to a further question, Sir B. L. Mitter stated that the expenditure from the Indian revenue in connection with the Round Table Conference it is estimated that it would amount 1.9 lakhs in addition to Rs. 70,000 which is expected to be incurred in England on account of compensatory allowance to the delegates. It is anticipated that the British Government will bear this expenditure as also the amount which would be required in connection with the Conference proper.

RETURNED EMIGRANTS

Mr. Sukhraj Roy asked:—

(a) Whether the Government's attention has been drawn to the appalling condition of the emigrants who have returned from East Africa and other foreign countries under compulsion ?

Mr. G. S. Bajpai, answering the questions, said:—

"As the subject-matter of the question has roused considerable public interest recently, I hope, Sir, you will permit me to explain it in some detail. The emigrants referred to have not returned from East Africa or any other foreign countries under compulsion, nor do they number several thousands. So far as the Government of India are aware, their number is about 850. The majority of them hail from British Guiana, Trinidad and Surinam and all of them came back of their own free will with the help of the passages to which they were entitled under the terms of the contracts under which they originally migrated to the colonies concerned. Nor are the majority recent arrivals. At least a considerable number would appear to have been settled at Matiabruz for several years. For several years, the Government of India have at intervals, received petitions that they should be sent back at Government expense, either to the colonies from which they came or to some other colony. Thus the question as to how Government could best assist them, has been engaging their attention for a long time

"The Government have not found it possible to accede to the request that they should be sent to some colony at the expense of the Indian revenues, mainly on the ground that since 1919, nearly 150 emigrants have returned to this country from the colonies. There is no reason to assume that economically and socially India has treated them differently from the small group who have congregated at Matiabruz. If financial assistance were given to these latter to re-emigrate on the ground that they find the conditions in India uncongenial, it would be impossible to refuse similar assistance to the much larger number who had settled elsewhere in India or who might hereafter return from the colonies. The financial drain thus imposed on the Government would become continuous and incalculable.

"Attempts were made in 1926 and 1928 to persuade the Governments of British Guiana and Fiji to take back at their own expense, some of the emigrants who had returned from these colonies. Three hundred and fifty and 173 persons respectively, were thus sent back. Efforts were also made to

find an outlet for some of the Matiabruz Colony in Malaya, but without success.

"The prevailing economic depression rules out all prospect of successful negotiations with any of the Colonial Governments concerned to replace these people in the Colonies from which they came. The tendency all over the world now is to discourage fresh immigration, while depression lasts.

"The only course, therefore, open to the Government of India is to endeavour to persuade these people to go back to those places in the interior of India from which they originally came and to find work for them there, suited to their capacities and aptitudes. Considering that the vast majority of those who have returned from the colonies appear to have been absorbed in the mass of the population, there is no reason why the small proportion now at Matiabruz should not be similarly accommodated, provided that they are willing to adapt themselves to Indian conditions in the same spirit in which the other returned emigrants have done. The Government of India can think of no other satisfactory solution. Meanwhile, on the recommendation of the Government of Bengal, they have sanctioned a grant of Rs. 2,000 for the immediate relief of the physical distress which is said to prevail among these returned emigrants."

Dr. Ziauddin asked: Am I to understand that the Government would have no objection to send these people back to the colonies from which they came if their expenses are paid for ?

Mr. Bajpai: The Government would have no objection whatsoever to send these people back to the colonies if their expenses are paid, provided that the Governments of Colonies concerned are also prepared to take them back.

Dr. Ziauddin: That is a different issue altogether. I understood that the Government had no objection to send these people back and there was no difficulty on the other side, I mean, in the Colonies.

Mr. Bajpai: Sir, I purposely added the qualification about the readiness of other Governments, because investigations have been made in the past in regard to outlets for the surplus of Indian population in Mauritius and British Guiana and we have been told that it might be unwise to allow further emigration, because it might have an adverse effect upon the standard of living of the people living there.

Dr. Ziauddin: So, it is not true that the Colonies are not prepared to take them back ?

Mr. Bajpai: No, Sir, that is not true. I have stated in my answer that in 1926 British Guiana had agreed to take 350.

Dr. Ziauddin: Now ?

Mr. Bajpai: Now, I cannot say. It is very unlikely.

Dr. Ziauddin: Will the Hon'ble Member kindly make enquiries from these Colonies whether they are prepared to take these people back if their expenses are paid for? And I think they will be willing to go back if their expenses are paid for.

Mr. Bajpai: I have no objection to make enquiries from the Colonial Governments concerned, but such information as is available to the Government does not encourage the hope that the Colonies concerned will be prepared to take them back at present.

Mr. James: Will the Member explain whether the Government of India have invited the co-operation of the district authorities in resettling these emigrants who return in the districts from which they originally came ?

Mr. Bajpai: In the past, Sir, I am sorry to say that such co-operation has not been invited. But in the communication which has recently been addressed to the Government of Bengal, asking them to persuade these peo-

ple to go back to the districts it has been indicated that such co-operation would be invited, if they are agreeable to go back.

Mr. Yamin Khan: May I know whether if these people want to go back to the Colonies they will be treated as fresh emigrants and they will be able to enjoy all the rights and privileges which they enjoyed before.

Mr. Bajpai: There is no limitation as regards that. If a person has been settled in a colony for a period of five years or more, he and his wife and child can always go back to that Colony. But because of the prevailing economic depression, at the present moment, there might be reluctance on the part of the Colonies to have a fresh addition to their population.

Further questioned, Mr. Bajpai said that 15 per cent of them originally came from Bihar and the rest from the United Provinces. The Government of Bengal had now been asked to persuade these people to go back to their destination and when these people go back, the Government of India would endeavour to settle them there.

NOVEMBER 21, 1932.

ANGLO-INDIAN REPRESENTATION

Dr. DeSouza: " Why were the Anglo-Indians with much less population given more seats in the legislatures than Indian Christians ? Is it because of the activities of the Indian Christians against the Government" ?

The Hon. Law Member: Government of India are not responsible for the communal award.

Mr. Kabiruddin Ahmed: Did the Government of India forward proposals to the British Government before they decided ?

The Hon. Law Member replying to Mr. Kabiruddin Ahmed's question said that he could not follow the latter.

The Hon. Law Member: I can only repeat for full information; " Please refer to H. M.'s Government. They decided the communal award and the Government of India are not responsible for it. "

TRIBAL CONTROL.

Mr. Masood Ahmed: Will Government lay on the table the recommendations of the Tribal Control and Defence Committee, with the full list of the recommendations adopted and those not yet adopted and others that are under consideration ?

Mr. H. A. F. Metcalfe, Foreign Secretary, replying said that the government regretted that they were not prepared to place the recommendations on the table nor the lists asked for. He said that such lists were meaning less except when read along with the committee's report which was not yet made public.

NOVEMBER 23, 1932.

TEMPLE ENTRY BY UNTOUCHABLES

Mr. Ramkrishna Jha asked what action Government had taken on the memorials submitted to the Government of India by orthodox Hindu com munities of Benares and Meerut praying for protection against temple-entry by Untouchables.

Mr. Haig replied that the policy of the Government in regard to controversies of a religious character was one of neutrality.

Mr. Harbilas Sarda: Are Government aware that Mahant Pushkar Raj, namely, the Brahma who is the Creator, had thrown open his temples to the Untouchables without pressure of public opinion.

Mr. Haig: That information will please all sections of the House.

Replying to another question from Mr. Ramkrishna Jha, regarding the feeling among orthodox sections of the Hindu population of India against temple-entry by Untouchables, Mr. Haig said "Government are aware that there is opposition to the proposal that Untouchables should be allowed to enter temples. Government are not prepared to give an estimate of the strength of the opposition."

WOOLLEN GOODS

In reply to a question from Mr. Ramsay Scott regarding purchase of woollen goods from London, Sir Frank Noyce stated that he was not in possession of precise information on the subject.

In reply to supplementary questions, Sir Frank Noyce added that the goods in question were purchased for the Army Department.

In reply to a question from Mr. Maswood Ahmed, Sir George Schuster stated that exports and imports of gold from 22nd September 1931 to 29th October 1932—latest date up to which approximate figures were available—were as follows:—

EXPORTS—About twelve and a half million fine ounces valued at about 94 crores of rupees.

IMPORTS—About three lakhs thirty thousand fine ounces valued at about 2¼ crores of rupees.

NO DECISION ON SIND

Replying to Haji Abdulla Haroon's short notice question regarding the separation of Sind from the Bombay Presidency, Mr. Haig stated that no decision regarding the separation of Sind from Bombay and its creation into a separate province had yet been taken. The Sind Sub-Committee of the first Round Table Conference has accepted the principle of separation. The Sind Enquiry Committee of the second Round Table Conference had accepted the principle and had endorsed the decision of the first Round Table Conference that Sind should be constituted into a province by itself, if satisfactory means of finance could be found.

It is a fact, added Mr. Haig, that an additional cost of twelve lakhs would be involved if Sind is constituted into a separate province, and Sind people have suggested ways and means of meeting this by voluntary taxation.

The question of separation, said Mr. Haig, will be discussed by the Conference now being held in London, when the subject of Federal finance will be taken up. His Majesty's Government will announce their decision as soon as discussions are completed.

NOVEMBER 24, 1932

ORDINANCE BILL AND RAILWAY STRIKE

Sir Joseph Bhore, the Commerce Member, made a long statement about the strike on the Madras and Southern Mahratta Railway. The statement was made in reply to a short notice question by Mr. Maswood Ahmed.

Sir Joseph Bhore said that the Agent of the M. and S. M. Railway had informed his staff on October 13 that he was unable to accept their demand for the reinstatement of 93 men discharged last year; but as the staff had agreed to the principle of short time rather than discharge of men, the Agent increased short time working on October 21. The same day, however, according to Sir Joseph Bhore, the Union resolved to call a strike from the morning of October 24.

Sir Joseph Bhore said that the strike commenced on the morning of October 24 in Perambur Workshops and it then spread to the Arkonam En-

gineering Workshops on November 3, and to the Hubli Mechanical Workshops on November 19. According to latest advices, received from the Railway Agent, the approximate number of men on strike and at work was as under:—

	On strike.	At work.
Perambur Mechanical Workshops	5,294	354
Perambur Electric and Workshops and Services at Perambur	450	35
Arkonam Engineering Workshops	748	96
Hubli Mechanical Workshops	911	1,884

Totalling 7,403 on strike and 2,369 on work.

Giving details of the strike Sir Joseph Bhore said that last year the bulk of the staff retrenchment on this railway effected by voluntary retirements on special terms were regarded by the Court of Enquiry as liberal.

The number of men thus discharged by June 1931 in the Mechanical workshops at Perambur was only 109. As a result of the representation by the All-India Railwaymen's Federation, and in consultation with the wishes of Agents of the railways it was decided in July 1931 to suspend further discharges until the end of October 1931, when it was intended to review the position again. This review was made by the Agent of the M. and S. M. Railway and he informed the M. and S. M. Railwaymen's Union in November 1931, that after taking into consideration the following factors, there would be a surplus of 172 men whom it would be necessary to discharge, but that it was intended to offer a transfer to 25 of these men to fill vacancies in the Hubli workshops.

The Agent had taken into consideration the following factors:

1. Normal wastage.
2. Stoppage of recruitments.
3. Number of men nearing super-annuation.
4. Working of short time which was necessary in individual workshops.

It was made clear in addition to this surplus there were 110 men who would be withdrawn from the workshops and placed on the temporary work connected with the remodelling scheme and this number of workmen will also be discharged on the completion of the said schemes in January 1932.

Reply To Railway Board

With reference to the enquiry made of the Railway Administration by the Railway Board, the M. S. M. Rly Agent had reported that there would not be a surplus in the workshop staff but the surplus of 110 would occur on the completion of the remodelling scheme. The Railway Board in the said enquiry has emphasised the following points:

(a) Surplus at the moment:

(b) Surplus likely to occur in the near future.

In making his reply the Agent of the M. S. M. Railwav had taken these factors fully into consideration.

On June 6, 1932 the Government of India issued a communique announcing their conclusion on the recommendations of the Court of Enquiry appointed last year. This communique also permitted resumption of discharge, which had been suspended since July 1931.

The Agent of the M. S. M. Rly. made a fresh estimate of the surplus staff in August 1932. As a result, he fixed the surplus at 474 men in August 1932. This involved a surplus of more than 20 per cent in some shops.

On 19th September 1932, the Adiministration of the M. S. M. Rly. offered the workers one or the other of the two courses, viz:—

(1) To discharge 66 men to bring down the surplus to a maximum of 20 per cent in any single workshop, and thus retain the remaining surplus by working the necessary amount of short-time; or

(2) The discharge of surplus men.

For 40 men out of the 66 proposed to be discharged under the first alternative appointments were offered in the traffic department.

On October 7, 1932 on further consideration of the problem the Administration of the M. S. M. Rly. offered to retain the services of the 66 men marked down for discharge and to absorb them by an increase in the short-time scheme, but keeping the limit to short-time working in any single shop at a figure not exceeding 20 per cent of normal working time. The workmen were asked whether they would agree to the increase in short-time scheme or whether they would prefer to have the 66 men discharged.

The workmen replied that they would prefer the principle of short-time, provided it meant the re-instatement of 93 men out of the 109 discharged on October 13 1932.

The Agent informed the men that he declined to accept the demand for re-instatement of the 93 men discharged last year. The Agent added that the strength required in each workshop was a matter for the Railway Administration to decide on the basis of actual work to be done, and that as the offer for short-time principle had been agreed to rather than discharge the men, short-time would be increased in certain workshops.

Accordingly, the increased short-time was introduced on October 21, 1932. Under this arrangement, no staff whatever had to be discharged. The same day the offer was made the M. S. M. Railwaymen's Union called a strike from the morning of October 24.

The total surplus, if full normal working were restored, would be approximately 700 employees including the 110 men who would become surplus on completion of the remodelling scheme.

In his statement dated October 26 the President of the M. S. M. Rail waymen's Union observed "In fact the whole issue on which the present dispute has arisen soon the fact, that by not taking the 93 men and by not having only that much short-time as is necessary to cover the surplus staff (even within the limits accepted by the Railway on paper) the administration has broken its own promise."

In a letter dated November 11, addressed by the President of the Indian Railwaymen's Federation to the Railway Board the following were stated to be the issues involved:

"1. That the present figures alleged as surplus on the basis of the Agent's statement made before the strike are excessive and self-contradictory.

"2. That men and the Administration having been agreeable to working short-time up to 20 per cent and also in view of the fact that most of the workshops are working short-time to this limit, and even accepting the basis of latest short-time announced and introduced on October 21, 1932, 93 all the 100 compulsorily discharged men, under the retrenchment of last year, could and, therefore, should be absorbed within the prescribed limits."

The attitude of the Agent of the M. S. M. Rly. regarding this surplus staff must vary from time according to the character and amount of work and according to the plans for its execution. The determination in this regard must rest with the Railway Administration.

Short-time working has its drawbacks, both administrative and economic but in order to minimise the hardships the Railway Administration had recourse to this method in order to avoid further discharges.

The Government of India are satisfied that no compromise was made or implied that the men discharged last year would be re-engaged and that the offer of the Agent to work short-time up to the maximum of 20 per cent in each workshop was solely with the desire to avoid any further discharges.

Replying to a supplementary question Sir Joseph Bhore stated that the information supplied contained the latest developments.

NOVEMBER 30, 1932.

Sir Brojendra Mitter, replying to Mr. Bhupat Singh, refused to make any statement about Burma until the separation issue was debated on and voted in the Burma Council.

The Law Member drew attention to the statement made by the Secretary of State on Burma, and said that the Government, while recognising the public interest in the question, did not propose to allot a day for the discussion of the same in the Assembly.

Sir Hari Singh Gour: Cannot the Federating units, by a contract, make a Federation and by contract rescind it?

Sir B. L. Mitter: So far as I know Constitutional law, there is no immutable law of Federation and no two Federations are alike. What form the new Federation will take is not known to us.

HUNGER STRIKE AT DEOLI DETENTION CAMP

An authoritative statement on the recent scuffle, followed by a temporary hunger-strike by the detenus, in the Deoli Detention Camp was made by the Home Member in answer to a series of short-notice questions by Mr. S. C. Mitra.

Mr. Mitra based his questions on the report which appeared in the HINDUSTAN TIMES and asked whether there was any serious trouble in the camp and whether the Gurkha guards inflicted heavy casualties amongst the detenus, numbering about thirty, and whether following this incident, Satin Sen, one of the detenus, had been transferred to the Ajmer Jail from the Deoli Camp.

Mr. Mitra put in a suggestion for a committee to enquire into the causes of the trouble and for facilities to non-official members of the Assembly visiting the camp.

The Home Member made the following statement:—

"During October some of the detenus at the Deoli Camp disregarded rules about the roll-call. On the 26th of October, two detenus were found absent from the roll-call and subsequently refused to obey orders of the Superintendent summoning them to his office. The Superintendent awarded punishment to a senior detenu for his absence from the roll-call and deliberate and obstinate disobedience to his orders. The punishment awarded was reduction of his diet and personal allowances for fourteen days and the cancellation of the privilege of writing and receiving letters for a period of two months.

"On the 29th of October, in the morning, the Superintendent received a general communication from a number of detenus threatening that they would cease to attend the roll-call unless the punishment was withdrawn. On the 30th, only nine or ten detenus attended the roll-call and similar disobedience to orders occurred on the 31st October and November 1. Later on that day, one detenu, who had not only refused to attend the roll-call but for a long time could not be found at all, was summoned to the Superintendent's office but refused to obey. He was again summoned to attend on the morning of the 2nd but again refused. The detenus' "manager"

had been asked to persuade the detenu to proceed to the office but he replied that he could give no help in the matter. Guards were, therefore, sent to bring the detenu to the office whereupon some fifty detenus crowded round the entrance to the room, blocking the way, and adopting a threatening attitude towards the Superintendent. The guards were ordered to make a passage for the removal of the detenu. They forced back the crowd and a scuffle ensued. The detenus abused the jail officers, seized the Deputy Superintendent round the waist and tore the uniform of the Superintendent and others.

"Two detenus received small cuts on the head and a number received contusions. There is no truth in the suggestion that thirty detenus received injuries of a serious nature.

"On the 5th of November, two of the detenus commenced hunger-strike and four others followed their example on various dates between the 10th and the 15th. On the 25th of November, all six abandoned hunger-strike and their condition is understood now to be quite satisfactorry. The hunger-strikers were looked after by the medical officer of the camp and an Additional Civil Surgeon of Ajmer was also speciallv sent out to the Deoli Camp and remained there superintending their treatment.

"Satin Sen has been transferred from the Deoli Jail as he was the prime instigator of these organised attempts to defy authority. Government are satisfied that the facts are as stated above and they do not propose to appoint a committee of enquiry."

Several members pressed on the Home Member the desirability of including in the visiting committee Mr. Harbilas Sarda, representative of Ajmer in the Assembly.

The Home Member promised to send the questions and answers to the Chief Commissioner with whom the matter rested.

DECEMBER 5, 1932

HEALTH OF SJS. SUBHAS BOSE AND J. M. SEN GUPTA

Replying to Pandit Satyendra Nath Sen regarding the health of Sj. Subhas Bose and Sj. J. M Sen-Gupta the Hon'ble Mr. Haig said:—"I would refer the member to the replies given by me in this House to Mr. Satyendra Chandra Mitra on the 13th and 19th September. The Government receive frequent reports on the health of these two State prisoners and have taken every care to provide them with suitable medical attention. Mr. Subhas Chandra Bose was transferred in the beginning of October to the Bhawali Sanatorium for treatment of the disease from which he is believed to be suffering. The Government recently acceded to his request to be further examined by a Medical Board which will consist of two doctors of his own choice and two doctors selected by the Government.

"Mr. Sen-Gupta was brought down to Calcutta towards the end of October and admitted into the Medical College Hospital. He is under careful treatment and I understand there is at present no cause for alarm. I shall shortly receive a more detailed report from the Government of Bengal and will then be able to communicate further information to the House."

"FREE PRESS" SECURITY

Replying to Pandit Satyen Sen's question regarding the forfeiture of the FREE PRESS JOURNAL'S security, Mr. Haig said that a copy of the offending article had been placed in the library of the House. The article in question was held to contain a matter falling under clause (D) and (H) of Section 4 sub-section (1) of the Indian Press Emergency Powers Act,

1931, as amended by section 77 of the Special Powers Ordinance (Ordinance X) of 1932.

Pandit Sen:—Was the article published in the journal a mere reproduction or it contained any comment too?

Mr. Haig:—It was only a reproduction.

Mr. Gaya Prasad Singh:—Are the Government prepared to point out the objectionable portions in the article so that other papers might take note of for their future guidance.

Mr. Haig:—The Bombay Government specified the particular passages which were objectionable. If the Hon'ble Member is interested, he can refer to the Bombay Government.

DELHI CONSPIRACY CASE

Replying to Mahomed Muazzama Sahib regarding the expenditure incurred in connection with the Delhi Conspiracy case, Mr. Haig said that the total cost up till now was Rs. 287,589 and the total cost on the prosecution side up till now was Rs. 82,869 and the cost paid for defence was Rs. 34,536. The prosecution is in the hands of two counsels each of whom receives Rs. 1,500 per month. In addition the senior counsel draws Rs. 150 for each day's hearing. These emoluments are subject to 10 per cent cut. The budgeted amount for the financial year of 1932 to 1933 is Rs. 244,040 of which Rs. 102,060 has been expended up to the 30th September, 1932.

RANBIR SINGH

Replying to Bhai Paramananda regarding State prisoner Ranbir Singh Mr. Haig said he was not prepared to state the place of detention. He had no information at present regarding his income prior to his arrest. The question of allowance to be granted to Ranbir Singh, while detained as a State prisoner was under consideration and will be decided shortly. He will be detained so long as this course was found necessary in public interest. He will be permitted to continue studies of an unobjectionable nature and do such writing not for publication.

PARALLEL POST OFFICES

Replying to Rao Bahadur Raja, Mr. Ryan said there has been some competition in parts of the Bombay Presidency with the Government post offices. The Government have no reason to believe that the loss caused in this way justifies the use of the adjective "enormous." There is reason to believe that the practice of secret non-official parallel postal services in certain parts of Gujrat conveyed in motor buses by private agencies at cheaper rates, has been in existence before the recent enhancement of postal rates. The volume of postal traffic has been undoubtedly affected but the indications are that the postal revenue at present is larger than it would be, had the postal rates been not enhanced. The Government do not at present propose to restore the postal rates previously in force.

DECEMBER 12, 1932

SECURITIES TAX

Replying to Mr. Mody's query as to whether the rate of tax applicable to interest on securities was also applicable to life assurance companies, Sir George Schuster said: "No. The notification relates to the rate of tax applicable to interest paid on securities in assesses made in the previous year, whereas the insurance companies are not assessed on the income of the previous year, but on the results of periodical actuarial valuation. The

Central Board of Revenue are making inquiries in the matter and will take steps, if necessary, to secure uniformity."

BHAWALI SANATORIUM

Replying to a supplementary question put by Mr. Satyen Mitra whether the sanatorium at Bhawali, where Sj. Bose was detained, would not be closed on the 15th December and if so, where the Government wanted to transfer him. Mr. Haig said: "It is intended to send Mr. Bose to Lucknow for further examination where the Board will examine him."

Mr. Satyen Mitra: In view of the fact that proper treatment for intestinal tuberculosis is not available in India and is only available in Denmark and at Vienna, do the Government propose to send Mr. Bose abroad?

Mr. Haig: The whole question will be reconsidered pending the receipt of the report of the Medical Board's examination at Lucknow.

Replying to Mr. Satyen Mitra regarding Sj. Sarat Chandra Bose's health, Mr. Haig stated that medical reports showed that he was keeping fairly good health. He was still detained in the Jubbulpore Jail. There had been no other state prisoner in that jail since his brother was transferred there for medical treatment. The question of arranging suitable association for him was under consideration He believed that Sj. Bose was still suffering from diabetes. Government had received a representation from him as regards the place of his detention and this matter was under consideration.

ORISSA

Replying to Mr. B. N. Misra regarding the creation of Orissa as a separate province, Sir B. L. Mitter stated that the Government of India had obtained from the local Governments concerned their views on the Orissa Committee's report and addressed the Secretary of State in the matter. The whole question was under consideration and he was not in a position to state the views either of the local Governments or of the Government of India at this stage.

COUNCIL OF STATE

THE special session of the Council of State to consider mainly the Ordinance Bill and the Ottawa resolutions commenced its session on the 29th November.

ORDINANCE BILL

Mr. Hallett, Home Secretary, moved for consideration of the Ordinance Bill as passed by the Legislative Assembly.

Mr. Hallett covered points traversed by the Home Member in the Assembly, particularly in relation to the possibilities of revival of the Civil Disobedience movement. He admitted that Communism had not taken a stronghold in any part of the country, but the supporters of the movement were likely to make use of any opportunity to spread lawlessless, once the movement itself was allowed to be resumed. The Bill was for the working of any reforms.

Sir Mehr Shah (Punjab) supported the Bill, which, he said, was occasioned by the activities of the terrorists themselves. This law was against terrorism and it rightly interfered with the liberty of action of terrorists. It was also directed against undesirable features of journalism and the Press, but did not hamper the freedom of the honest Press.

Lala Ramsarandas, Leader of the Progressive Party said: "A retrospect of the constitutional history of India, within the last twelve years, shows that each step in political advance, is preceded by the enactment of measures which are incompatible with the spirit in which the advance is made. This indicates the existence of two schools of thought, those who want Government to be based on the wishes of the people and those opposed to the change. It appears that the second class of politicians are more assertive and for the moment carry their point. When the reforms associated with the names of Mr. Montagu and Lord Chelmsford were about to be introduced, we had that obnoxious measure called the Rowlatt Act. So strong was the opposition to the Bill when it was before the legislature, of the time, that though it was passed, it never came into force. Discontent was so widespread that incidents occurred which were never anticipated by the framers of the Bill. The present Bill is another instance of coercive legislation preceding the introduction of Reforms."

Mr. Jagdish Prasad, opposing the Bill, thought that the legislation was unworthy of consideration by any House which loved freedom of movement, action and speech. In his opinion, swift constitutional advance, was the best antidote for Civil Disobedience. Such a stringent legislation, whose provisions were repugnant to modern democracy, would, on the other hand, alienate the sympathy of even the friends of the Government.

Mr. E. C. Benthall, strongly supporting the Bill, said that Civil Disobedience was part of a movement for the negation of freedom and for embarrassing Government. While the Government had succeeded in bringing it under control for the time being, they must be prepared to meet any contingency of its revival. The Bill was only limited to three years, and before the expiry of that period reforms would have been introduced.

Mr. G. A. Natesan (Madras) opposing the Bill asked the Government to draw lessons from the fact that the two biggest landholders, Lala Ramsarandas and Mr. Jagadish Prasad, men with a stake in the country, had condemned the legislation. The speaker quoted Dicey, and said that the

Bill was against the traditions of the English law and constitution. It was also untimely in that it was being enacted on the eve of new constitutional experiment.

Sir Mahomed Akbar Khan (Frontier) supported the Bill, as it was aimed at removing traces of a movement designed to paralyse trade and paralyse ordered Government. He admitted that the provisions were drastic, but they were not retrograde, as they were intended to do good to the bulk of the people. In three years, they could expect a return to normal conditions.

Mr. B. Basu, in supporting the Bill held that dissuasion from enlistment in the Army and the Police, and picketing and other crimes carried on by the Congress could not be dealt with under the Penal Code. Hence the Government sought more powers under the present measure to curb those activities, which were the pet weapons of the Congress. India consisted ninety-four per cent of illiterate people, and they believed that the printed word was truth. This legislation was necessary to check the dissemination of false news to such a vast population. As to the argument that the wide powers under the Bill were liable to be abused, he held that at that rate, all laws could be abused.

Sir Maneckji Dadhabhoy felt that the Opposition did not correctly diagnose the real situation which prompted this legislation. He was glad that many Local Governments, had already passed local legislation to suit the local conditions and exigencies. In the face of those hard facts, the Government had no option but to bring forward legislation to extirpate the final stage of the present Civil Disobedience movement, and also effectively to check its revival. Otherwise, it would have been nothing short of a deriliction of the Government's primary duty towards the country and the people. Proceeding, Sir M. Dadhabhoy attempted to correct the impression that the Bill would be harshly used. How many times had the Rowlatt Act been actually used? The speaker answered the question himself, saying that there had not been a single case of prosecution under it. Regarding the Press provisions, Sir M. Dadhabhoy said only the gutter press would be dealt with. It had been alleged that the Government had not shown signs of a gesture to the people, nor sincerity about Reforms. The proceedings of the R T. C. belied this. The history of the last two years provided enough answer to the charge. Sir M. Dadhabhoy quoted from the opening speech of Lord Willingdon and the speech of Sir Philip Chetwode delivered at Dehra Dun to show that there was enough gesture of goodwill from the side of the Government. But where was the response? Mr. Gandhi from jail still declared his faith in Civil Disobedience. As for the charge of vicarious punishment provided in the Bill, Sir M. Dadhabhoy quoted from the English statute and also from the Bengal, Bombay, Madras and Central Provinces Children's Acts. to show that a similar principle had already been accepted.

Syed Hussain Imam (Bihar) opposed the Bill, as the Government had not shown co-operation with the Opposition in the House, but withheld it, in asmuchas they had not thought of the joint select committee procedure over such an important piece of legislation, affecting the liberties of the people of a vast country. He was not convinced by Sir M. Dadhabhoy's plea that the Government had shown enough goodwill. The whole deal was one-sided, and his party (Progressive Party) had no option but to oppose the motion.

Syed Padsha saw a greater prospect of a more liberal constitution, owing to the inception of a National Government. While admitting the "lawless" character of the Bill and the severity with which it would effect

ordinary movements necessary for the well-being of Society, he thought it unjustifiable to reject it merely on the ground that it was severe, drastic and repressive. The fact that the popular Assembly had passed the measure, proved its necessity.

Mr. Nripendra Narayan Sinha, opposing the Bill, failed to see its necessity while many Local Governments had already powers to deal with the situation. He feared that this reactionary piece of legislation, when put into operation, would crush the spirit of nationalism among the people, and they would be reduced to the position of serfs. In the place of a just and judicial administration, an arbitrary form of Government would reign supreme.

Mr. Mahmood Suhrawardy, supporting the Bill, held that the Government had no choice. Coming from Midnapore, where two District Magistrates had been murdered, he said that the Congress movement and the terrorists were responsible for this Bill, which was in the interests of good Government and the protection of the people. He pointed out that there was not a single Moslem terrorist.

HOME SECRETARY'S REPLY

Mr. Hallett, Home Secretary, briefly replying, laid stress on the safeguards provided in the various sections of the Bill, and pointed out that the right of appeal was not taken away. The Bill having received full measure of support, he hoped it would be unanimously taken into consideration and similarly passed.

MOTION FOR CONSIDERATION

The House divided and the Home Secretary's motion for consideration of the Bill was carried by 32 against 10 votes.

The Council reassembled on December 14. There were some thirty-eight amendments tabled and most of these were unsuccessfully moved in the Lower House.

Mr. Kalikar's attempt to substitute the word "maliciously" for the word "wilfully" in the clause relating to dissuasion from enlistment, in the police and the Army, was met by Mr. Bartley, who argued that it would render nugatory the protection afforded and throw too much onus on the prosecution.

The Council disposed of Clauses two to seven of the Ordinance Bill without any alteration.

In respect of clause 6, Mr. Ghose Maulick moved for an additional sub-clause providing that no court should take cognisance of an offence punishable except upon report in writing of the facts which constituted such an offence, made by a police officer, not below the rank of an officer in charge of a police station.

Mr. Hallett, Home Secretary, thought this addition was unnecessary and would not serve any useful purpose.

In Clause 7, relating to picketing Mr. J. C. Banerjee moved for substitution of an explanation to provide that "peaceful persuasion or inducement which does not or is not calculated to involve any obstruction, violence, intimidation, annoyance or alarm to any person does not come within the purview of this section." The motion was lost.

To clause eight of the Bill relating to parental responsibility for misbehaviour of sons, Messrs. Banerjee and Jagadish Prasad moved amendments in order to minimise what they described as vicarious punishment.

Mr. Ramsarandas criticised the educational policy of the Government, and stressed the need for instruction on moral and religious lines. In clause thirteen, Mr. Ramsarandas suggested a provision, to the effect that while taking over possession of places ordinarily used for worship, the authorities

should not interfere with the sanctity of the places or with religious observances.

The Home Secretary affirmed the Government's neutrality in religious matters, and hoped the general public would have no cause to complain in this matter.

PRESS PROVISIONS

Clause fourteen relating to the Press was sought to be deleted by Mr. Ghose Maulik, who argued that the Press Act of 1931 was quite sufficient, but Mr. Hallett pointed out that the powers included in the Bill were not embodied in the 1931 Act.

Mr. Jagadish Prasad suggested by another amendment, that before action was taken against a newspaper, there should be at least one clear warning given.

The Home Secretary said that the Government's usual practice was to give warnings, but there might be cases in which the articles published were so objectionable, that they could not run the risk of waiting till such warnings were issued. Personally, he (Mr. Hallett) was satisfied that the instructions given to the District Magistrates soon after the deputation of Indian Journalists met Lord Irwin were satisfactorily observed. He would however remind the Local Governments on the subject of giving warnings before taking action.

Mr. Ghose Moulik opposed the retention of clause sixteen relating to the Press, but the clause was adopted by 29 against 10 votes.

The last few amendments to the Bill related to the duration of the measure.

The Home Secretary pointed out that three years was a reasonable time.

The amendments were rejected.

Mr. Kalikar objected to the measure, which affected personal liberty and private property, and which curtailed the powers of the judiciary, and widened the powers of the Executive. There was no rebellion in India. He objected to gagging the press and feared that any further exacerbating of public feelings, would recoil on the heads of them all.

Lala Ramsarandas, Leader of the Opposition, pointed out that, there was an impression in the public mind, that this Bill was being legislated in order to meet the situation that might be caused by the threatened Taxation Bill in the budget session. The political discontent was due to the multiplicity of safeguards in the proposed Reforms.

Sir N. Choksy (successor of Sir Dinshaw Wacha) brought to the notice of the Council the conditions in Bombay consequent on the so-called peaceful picketing, and said that the effects on trade and commerce had been disastrous. Why were drugs shops picketed? The speaker believed that the Bill was not repressive, but was beneficial and that it would put heart into the people for protection of their person and property.

Syed Mahomed Padsha, leader of the Independent Party, welcomed the measure, as it would protect personal property.

BILL PASSED

The Bill was, however, passed without division.

BENGAL TERRORIST OUTRAGES BILL

The Council disposed of the Bengal Terrorist Outrages (Supplementary) Bill on December, 16.

Mr. Jagadish Prasad, raised a point of order that the Bill was not properly and legally laid on the table, as under the Legislative Rules no Bill passed by one Chamber should be laid on the table of the other House the same day but only on the following meeting day. He raised the point of order now so as to avoid questions as to the legality of this measure in any court of law.

The President, while admitting some force in the point raised, pointed out that there were several occasions in which such a procedure had been followed to suit the convenience of the members. The Chair was prepared to rely on the practice hitherto adopted in applying Rule 25 and held that in the present case the Bill was legally laid on the table.

Mr. Hallett, moving the consideration of the Bill, referred to terrorist crime and explained the features of several clauses in the Bill emphasising, in respect of Clause 5, that the right of appeal had not been taken away. Clause 5 was intended to expedite trials. Public opinion was being mobilised and the deputation of troops to East Bengal had a reassuring effect on the population. Private individual were enerting in mobilising public opinion. Still the Government and their officers should be armed with powers to deal with those misguided youths who believed in bombs and revolvers.

Mr. J. C. Banerjee supported the Bill and said that it was necessary to suppress terrorism which had stood in the way of India attaining Dominion Status. The Council should have no sympathy, direct or tacit, with the terrorist movement which had done incalculable harm, or with the terrorists who were the enemies of the country and the State.

Lala Ramsarandas, leader of the Progressive Party, supported the Bill and pointed out that the opposition to the Ordinance Bill was as to the methods that were adopted to put down the Civil Disobedience movement.

Mr. Benthall expressed his appreciation of officers who, with the help of local people, were endeavouring to combat the movement.

SECOND AND THIRD READINGS PASSED

The Bill was read a second time and there being no speeches on clauses nor in the third reading, it was passed.

INDIAN TARIFF ACT AMENDMENT BILL

When the Council of State met on the 17th under the presidency of Sir Hyat Khan Noon, the Honourable Mr. Drake, Secretary to the Commerce Department, moved that the Bill further to amend the Indian Tariff Act of 1894 as passed by the Assembly be taken into consideration. He said that the Bill primarily sought to make certain changes in the Tariff Act as a result of the trade agreement arrived at in Ottawa between Great Britain and other Empire countries.

Referring to the genesis of the Trade Agreement between the Government of India and the British Government, Mr. Drake mentioned a change of far-reaching importance in the tariff policy between England and outside, a visible expression of which was the Import Duties Act imposing an all-round duty of 10% ad valorem upon imported articles excepting those which had already been admitted as duty-free. Mr. Drake said that criticism of the Ottawa Agreement had, in certain quarters, taken the curious form of a complaint that the passage of the British Import Duties Act was in the nature of a threat and that Government of India was coerced into giving preferential treatment to British goods. But in fact Indian goods could not enjoy complete freedom from duties unless India was prepared to give Britain something in return. Another fact which is ignored by these critics is that the trade agreement has been entered into by the Government of India with the British Government and that the Agreement includes cer-

tain non-self-governing Protectorates and Colonies but that no agreement has been made with any one of the Dominions by the Indian Government. Concluding, Mr. Drake stated that India was not an important wheat-producing country at present, but the time was imminent when she would develop her wheat trade and would require an export market. He said that preference on wheat would be of great advantage to her future trade and that all preferences under this Agreement would encourage India in her manufacture of indigenous industries. Referring to the Supplementary Agreement regarding iron and steel, he said that it would last only till March 31, 1933 and the terms of preference would not be prejudicial to the interests of the consumers.

Sir Maneckji Dadabhoy, supporting, said that there was a feeling of suspicion and distrust in this country that the Ottawa Conference was invoked by Great Britain chiefly with a view to securing the trade of the Empire all to herself to the disadvantage of India. This suspicion was reiterated by several Chambers of Commerce in India and other responsible commercial bodies, but that suspicion had been removed by the Assembly having passed the Agreement by an overwhelming majority. "I further tell this Council in confidence," he continued, "that this Agreement was not likely to interfere with the tariff policy of India as laid down by the Fiscal Commission, as I have very carefully examined the Agreement.

"The Bill we are now considering, which is based on the Ottawa Agreement, does not in any way mark any departure from the Indian Tariff policy which, since 1923, has been so adjusted as to protect India's nascent industries. Two of our main industries, like cotton textiles and iron and steel will not be affected in any way by the Agreement."

Rai Bahadur Jagadish Banerjee, opposing, doubted if the Ottawa Agreement would be in the best interests of India. He said that if India enjoyed real fiscal autonomy in the sense as other countries enjoyed, she certainly would not have been party to this Agreement. She would lose her markets considerably in countries outside the Empire thus endangering her present nascent industries. Articles like shellac, raw jute, etc., which would be admitted duty-free in England, would bring no real concession to India. Great Britain stood to gain by the Agreement. Continuing, he said that the United Kingdom was not a large purchaser of Indian jute, but 94 per cent of India's jute was exported to other countries. Therefore, the jute industry would not suffer if India did not accept the agreement, but most likely she stood to lose if she accepted it. Regarding oil seeds, he said that Great Britain bought her requirements largely from Continental countries and so far as cotton manufactures and the iron and steel industry were concerned the preference would certainly affect the consumers. He, therefore, thought it advisable not to accept the Ottawa Agreement. He doubted if conditional preference accorded to Indian wheat would be useful in any way, as already Australian wheat was being imported into India. It was impossible for Indian wheat to stand the competition of Australia and Canada. Regarding oils, he opined that the possibility of expansion of Indian trade in the British market was 'nil.' Tanned hides and skins, jute manufactures and the steel industry would undoubtedly be benefited under this agreement, but he held that the ratification was a leap into the dark.

MOTION FOR CONSIDERATION CARRIED

The motion for consideration was put to the vote and carried.

The second reading on the Bill was taken up on the 19th. Altogether there were twelve amendments to the Tariff Bill on the agenda, one of which was by Mr. Jagadish Prasad for the bill coming into operation after

the new constitution and the rest by Lala Ramsaran Das, generally aiming at reduction of rate of duty by five per cent on such goods as axles, bicycles, metals other than iron and steel (particularly aluminium), motor cars and motor omnibuses and film industry.

All the amendments moved were either rejected or withdrawn.

Sir Alan Parsons said that the Government were carefully watching the effect of recent surcharges on the existing customs duty, more particularly their effect on the import of cars and lorries. Lala Ramsaran Das pressed the amendment for reduction which was rejected by 11 against 27 votes.

As for motor omnibus and film industry Mr. Drake pointed out that the Government would watch the position after giving preference by reduction in the duty.

Mr. V. V. Kalikar speaking on the final stage of the Bill referred to the principle laid down since the days of Lord Curzon and endorsed by the Fiscal Commission that any scheme of imperial preference would not be in the interests of India. This view was also supported by Sir Henry Corbett. Examining the report as a layman the speaker held that the Indian producer was not like always to depend on foreign markets for his produce, but much rather like his raw materials consumed within the borders of India. The economic prosperity of India lay not only in expanding the production of raw materials, but also in industrial regeneration. England took little portion of India's exports of raw products, specially in respect of cotton, oilseeds, rice, etc.

Mr. B. K. Basu said that the subject had been fully discussed over three months in the Legislature as well as in public and his opinion on the basis of opposition was that a better bargain could have been made than at present. He particularly referred to the speech of Sir Atul Chatterjee, head of the Indian Delegation at Ottawa who remarked that participation of India in the Imperial Conference was a distinct advance of her position. Concluding Mr. Basu pointed out that acceptance of the agreement by the Assembly had already strengthened the hands of those at the Round Table Conference and he had little doubt that in near future India would be one of the equal partners of the British Commonwealth.

Mr. Husain Imam deplored that Indian commerce was not consulted beforehand as in the case of colonies. At present the Government neglected India's export trade as it did not give any direct return. The Government ought to change the angle of vision now, and take intensive measures to expand export trade. He asked for a committee of the Council to watch the working of the agreement. The Government should make efforts to reduce shipping and railway rates in order to bring down the cost of production. The Government must do everything as a national Government to India's interest, otherwise they would fail in the scheme of the Ottawa Agreement.

Mr. Benthall referred to the supplementary trade agreement and urged upon the Government to keep a careful watch that equal chance was given to all importers of steel and no monopoly was created from the agreement. He was inclined to believe that there was no immediate benefit from the agreement to wheat and cotton, but that with population and local demand remaining the same, there was bound to be surplus wheat in the country, which would need preference granted under the Agreement.

Mr. Ramsarandas on the other hand asserted that the safeguard devised by the Special Committee of the Assembly would be wholly ineffective in practice. He referred to the Sukker Barrage from which alone an additional

yield of one million ton wheat would be forthcoming. He held that preference granted under the agreement would not benefit India and be wholly ineffective in the matter of wheat, cotton and oilseeds. Mr. Ramsarandas said that none was opposed to giving a fair trial to the Agreement, but their past experience indicated that once a legislation was enacted it would almost be impossible to amend or repeal it. He wanted to know whether if the agreement was found detrimental to the interests of India after a year, the Government would initiate a legislation for its termination.

A COMMITTEE OF THE COUNCIL

The Hon'ble Mr. Drake replying to the debate pointed out that the Indian Delegation was by far well equipped in Ottawa. He assured there was not the slightest intention to ignore the Council in the matter, and promised that there would be a committee of the Council to watch the progress of the operation of the agreement.

The Council adopted the Bill without a division.

INTERPELLATIONS

NOVEMBER 29, 1932.

Mr. Hallet, replying to a question said that the Government could not permit Mr. Gandhi as a State prisoner, to take part in ordinary political discussions.

TROOPS AT DACCA

Replying to Mr. Banerjee, the Commander-in-Chief admitted that troops had been billetted near the Dhakeswari temple in Dacca. The District Magistrate of Dacca visited other sites, but found them unsuitable. A wire-fence and screen had been put up so that the camp would in no way interfere with the resort of men and women to the temple. The local civil authorities were satisfied that the site was the only suitable one available. The site was selected by military authorities, and approved by the District Magistrate.

IMPORTS OF FOREIGN SALT

Sir Alan Parsons, replying to Mr. Jagadish Prasad, denied that the total imports of foreign salt into India during the twelve months ending 31st March, 1932, had been 84,704 tons. The accurate figure, he said, was 1,49,953 tons.

The Finance Secretary informed the council that representations having been received that African salt was being dumped in India at prices below the fair selling price, the Government of India had ordered a public enquiry such as was contemplated by Section 4 of the Salt (Additional Import Duty) Act, to be conducted by the Collector of Customs, Calcutta, to enable them to determine whether the import duty should be increased.

ABOLITION OF PIONEER UNITS

The Commander-in-Chief, replying to Mr. Kalikar, stated that 92 British and 6 Indian officers holding the King's Commission and 5,623 Indian ranks were involved in the abolition of the Pioneer Units. It would be possible to absorb nearly all the King's commissioned officers in the other units of the Indian army and about five per cent. who could not be absorbed would have to be retired. Of the Indian ranks 3,541 were to be transferred to the other units of the Army, and 2,002, including 823 Hazaras, to be discharged. If the Hazaras were left out of account, about 26 per cent of the Indian personnel would be discharged and would receive mustering-out con-

cessions and about 74 per cent would be retained in the other branches of the Army. A saving of between Rs. 20 and 25 lakhs was anticipated.

CAPITATION CHARGES

The Commander-in-Chief, replying to Syed Hussain Imam, stated that the Capitation charges were intended to cover the expenditure incurred by His Majesty's Government on the recruitment and training of British soldiers for service in India.

In reply to another question, Sir Philip Chetwode stated that about ten per cent of British other ranks in India on the 31st March were married and 90 per cent unmarried.

COMMUNAL UNITY

Replying to Mr. Kalikar's question, regarding the Unity Conference of Allahabad, whether Government proposed to support the attempts of the various communal leaders to establish unity among all the communities, Mr. Hallet referred to paragraph 4 of the Communal Award, where Government had stated that they could not themselves be parties to any negotiations, which might be initiated with a view to effecting a revision of their decision, though they were most desirous not to close the door to an agreed settlement, should such a one be happily forthcoming.

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COST OF TROOPS AT DACCA

Replying to the Hon'ble Mr. Jagadish Banerjee, the Commander-in-Chief stated that it was estimated that the provision of accommodation for the British troops at Dacca would cost about Rs. 4,75,000. The entire cost would be absorbed in the Army estimates. On the 1st of November last, the effective strength of the Dorsetshire Regiment stationed at Dacca was 798.

Replying further the Commander-in-Chief stated there were no Indian regiment stationed at Dacca. The headquarters of the Eastern Bengal Company of the Auxiliary Forces was located at Dacca. The total enrolled strength of this company was 172, of which only 21 were actually at Dacca at present.

Replying to Hon'ble Mr. Jagadish Banerjee regarding the alleged assault by a British soldier on Kali Pada Barman, a student of the Dacca University, the Commander-in-Chief admitted that Kali Pada Barman's complaint was more or less to that effect. The matter was being investigated by the Officer-Commanding. The Hon'ble member would be communicated the result of enquiry as soon as it was received.

JUTE EXPORT DUTY

Replying to Hon'ble Mr. Jagadish Banerjee, Sir Alan Parsons said that the Government of India was not in negotiation with the remission of some portion of the Jute Export Duty to Bengal. He, however, informed that House that the financial position of the Bengal Government was receiving the Government of India's attention.

Mr. Benthall asked: Are Government aware that a memorandum signed by most of the principal associations in Bengal, irrespective of creed, nationality and politics, was recently forwarded to the Secretary of State for India, demanding immediate revision of financial settlement and allocation of jute export duty to Bengal?

Sir Alan Parsons: I am aware such a representation was made, but I did not read it myself.

Mr. Benthall: Are Government aware that in the opinion of the people, most interested, no reform is likely to be successful in Bengal without the revision of financial settlement in Bengal's favour?

Sir Alan Parsons: I do not like to commit myself on that point.

PROVIDENT FUND

Sir Alan Parsons repeated his previous statement that, as none of the Provincial Governments, whose replies had been received, had supported the scheme of instituting a provident fund in lieu of pensions, the Government of India had decided not to go on with the scheme. The Finance Secretary promised to consider the question of laying the papers, or summary of them, on the table of the House.

ASSAM AND FEDERATION

The Finance Secretary, answering Mr. P. C. Dutt (Assam), said that there was no ground to justify their questioning the conclusion arrived at by the Percy Committee that the deficit of Assam would be Rs. 65 lakhs in the early years of the Federation, under more or less normal conditions.

The Finance Secretary informed Mr. Ramsaran Das that the Government were not in a position, at present, to make any statement on the question whether the ten per cent in salaries would be restored from the 1st April next.

Mr. Ramsaran Das was informed that the Government still had under consideration steps to prevent a freight war between Indian indigenous shipping companies and the British India Steam Navigation Company in coastal shipping.

CONVICTIONS UNDER ORDINANCE

Mr. Hallett, Home Secretary, told Mr. Syed Hussain Imam, that there were seventy-one cases of convictions under Section 24 of the Special Powers Ordinance, ane one under Section 25.

DECEMBER 19, 1932.

BENGAL STATE PRISONERS

The Hon'ble Mr. Ghosh Maulik asked the Home Secretary what was the locus standi of the Bengal Government in the case of Bengal State prisoners, confined under Regulation III in jails outside Bengal, and was it a fact that the Bengal Government disowned all responsibility for such prisoners outside Bengal.

Mr. Hallet replying referred to the provisions of the Regulation by which the State prisoners were detained directly under, and in accordance with the orders of Governor General-in-Council. The Bengal Government had no responsibility under the law in regard to the Bengal State prisoners detained outside Bengal, though they were naturally consulted in such cases by the Government of India.

Sir Fazli Hussain, replying to Mr. Ramasarandas' question regarding Indian Labour, introduced in Trinidad (West Indies), said that Indian labour was first introduced into Trinidad in 1845. The existing law relating to Indian immigrants to Trinidad included provisions relating to marriages in accordance with ordinance 26 of 1916. The legal position would appear to be that the children of unregistered marriages were regarded as illegitimate and could not inherit property in the event of their parents dying intestate.

BENGAL LEGISLATIVE COUNCIL

THE Winter session of the Bengal Legislative Council opened on the 21st Nov. and continued to the 16th December with a few breaks. The official business of the session consisted of passing the Bengal Local Self-Government (Amendment) Bill, 1932, the Bengal Village Self-Government (Amendment) Bill, 1932, the Presidency Small Cause Courts (Bengal Amendment) Bill, 1932, the Bengal Suppression of Terrorist Outrages (Amendment) Bill, 1932, the Bengal Criminal Law (Arms and Explosives) Bill, 1932, the two Amendment Bills on Calcutta Municipality Act, 1923 and the Bengal Public Security Bill, 1932.

Of these, the Bengal Village Self-Government (Amendment) Bill, 1932 and the Bengal Suppression of Terrorist Outrages (Amendment) Bill, 1932 evoked no discussion. The Bengal Village Self-Government (Amendment) Bill was introduced further to amend the Bengal Village Self-Government Act, 1919. There was no provision in the Bengal Village Self-Government Act, 1919, specifying a period of any application for execution of a decree passed by a Union Court. It was considered that a period of limitation of three years was suitable in view of the fact that Union Courts were established in order to provide a cheap and speedy remedy in petty suits. Although in the rules framed under Section 101 (2) of the Act, a period of limitation of three years was provided, Government were advised that the rule was 'ultra vires' and that it was necessary to amend the Act in order to put the matter on a satisfactory basis. It was, therefore, proposed to provide for this matter by a new section in the existing Act.

The Bengal Suppression of Terrorist Outrages (Amendment) Bill, 1932, was of a formal nature only and was intended to rectify the defective wording of sub-section (4) of section 15 of the Bengal Suppression of Terrorist Outrages Act, 1932, which as at present worded, was defective, as the Bengal Public Demands Recovery Act, 1913, did not provide for the recover of fines. The existing wording of the sub-section was the result of an amendment which was accepted by Government during the course of the debate on the Bill.

This session of the Council voted a grant of Rs. 3,00,000, towards the expenditure on police in connection with revolutionary movements and also a sum of Rs. 2,10,001 for the military stationed at Chittagong and other places of Bengal.

The non-official business transacted consisted of reference of several bills to the Select Committees and of passing several resolutions, the important of which were one urging the Government to give effect to the proposals of the Retrenchment Committee as far as possible and another to adjourn the house to discuss the situation arising out of the alarming state of health of Sjts. J. M. Sen Gupta and Subhas Chandra Basu who are detained under Regulation III of 1818. A resolution to the effect of creating a Second Chamber for Bengal under the new Reforms was rejected. Proceedings of the Council are summarised as follows:—

CALCUTTA MUNICIPALITY (AMENDMENT) BILL, 1932

On the 22nd November, Maulavi Abul Kasem asked leave of the House to introduce a Bill further to amend the Calcutta Municipal Act, 1923. The aim of this Bill, the Calcutta Municipal (Amendment) Bill was to perpetuate the system of separate electorate while the provisions of the Calcutta Muni-

cipal Act of 1923 which gave the Mussalmans the right of electing their representatives on the Corporation by separate Mahomedan electorates, would automatically cease to operate at the next general election. It was proposed in this Bill to make those provisions permanently operative.

The Hon. Mr. Bejoy Prasad Sing Roy intervening said that he would like to cut short the work by making the following statement on behalf of the Government :—" The Government is prepared to allow four more seats to the Mahomedan community at the Calcutta Corporation to bring their number up to their strength on population basis, and for this purpose the Government is prepared to bring in a Bill in this session and get it passed, so that joint electorate and increased number of seats might be availed of simultaneously at the next Corporation election."

BILL WITHDRAWN

The Bill was withdrawn.

ANOTHER BILL NOT ADMITTED

Mr. A. Rahim asked leave of the House to introduce a Bill to further amend the Calcutta Municipal Act of 1923. The Bill sought to provide separate electorate to Mahomedans for one term only in the forthcoming elections of the Calcutta Corporation in 1933. It was stated in the statement of objects and reasons that considering the present political situation and the forth-coming reforms which were bound to bring about various changes in the constitution, it seemed rather inexpedient to make any change in the system of elections in the Calcutta Corporation at this juncture.

By 38 against 32 votes the House declined to give Mr. Rahim leave to introduce his Bill, Government members and the European group not voting.

GOVERNMENT BILL

The Hon. Mr. Bijoy Prasad Singh Roy presented the Calcutta (Second Amendment) Bill, 1932 and moved the reference of the Bill to a Select Committee.

In moving the reference of the Bill to a Select Committee, the Hon. Minister said that by accepting the Bill the House would not only respect the compromise that was arrived at between different parties in 1923, but would also do honour to the memory of their departed leader Sir Surendra Nath Banerjee.

The Bill was referred to the Select Committee.

The Select Committee Report was presented to the House on the 16th December and in so doing the Hon'ble Minister said that the Select Committee had recommended 19 seats for the Mahomedan community on the Corporation on popular basis. The population of Mahomedan community excluding Garden Reach came upto about 24 per cent and they were entitled to obtain 18·5 seats but they had been given 19 seats. In arriving at this figure, the special seats of the Bengal Chamber of Commerce, the Trades Association and Port Commissioner had been taken into consideration. While the Calcutta Municipal Bill was discussed in the Bengal Council in 1923, Sir Surendra Nath Banerjea, the then Minister, made it perfectly clear that the special seats of the Europeans were to supplement general seats. Thus these special seats had been taken into consideration in arriving at this figure. The Mahomedans had now a fair representation on the Corporation having regard to their political importance and their number in the city. He hoped that this would satisfy not only the Mahomedan community but also the Hindus because he believed that the Hindu community did not grudge the Mahomedan community their fair proportion of representation and he hoped that this would satisfy the European community also.

AN AMENDMENT

Mr. Fazlul Haque moved an amendment for giving eight more seats to the Mahomedans by adding to the total number and making the Corporation a house of 100.

The Hon. Mr. B. P. Singh Roy replied that the Mahomedans on their population basis were entitled to 18·5 seats but they had been given 19. So the Government erred, if they did, on the side of leniency. If weightage was given by adding to the total number, it would disturb the proportion of seats to which other communities are entitled.

Mr. Haque's amendment was negatived.

BILL PASSED

The Bill, as amended by the Select Committee, was passed without any change.

KALIGHAT A SEPARATE WARD

On the 22nd November, the Hon. Mr. Bejoy Prasad Sing Roy presented the Report of the Select Committee on the Calcutta Municipal (Amendment) Bill, 1931, by Monindra Deb Rai Mahasai. By virtue of this Bill Kalighat would be constituted into a separate Ward from the Bhowanipore constituency with right to send one representative to the Calcutta Corporation. On the motion of Monindra Deb Rai Mahasai the Bill, as settled in Council, was passed.

BENGAL PUBLIC SECURITY BILL, 1932

The most important business of the session is the passage of the Bengal Public Security Bill, 1932 which on the motion of the Hon. Mr. Prentice, Home Member, was referred to a Select Committee.

OBJECTS OF THE BILL

The objects of the Bengal Public Security Bill, 1932 state:—

"As the Special Powers Ordinance (X of 1932) will expire on the 29th December, 1932, and there is a possibility that the activities in furtherance of the movement, known as the 'Civil Disobedience Movement' will continue or that such subversive movement may in future arise, it is necessary for the Government to take special powers to enable it in cases of emergency to combat activities which are subversive of law and order or prejudicial to public security and for the suppression of which the ordinary powers of the Government are inadequate.

The Preamble and Clause I have been drawn in such a way as to make it clear that the powers included in the Bill are in the nature of reserve powers and will only be brought into use on the occurrence of such emergency as would make it impossible by the exercise of its powers for the local Government to fulfil its responsibility in respect of the maintenance of public peace and security."

ORDINARY LAW INADEQUATE

In moving for reference of the Bill to the Select Committee, the Hon. Mr. Prentice said that there were sections in the Special Powers Ordinance which they considered still to be necessary in Bengal and those powers were embodied in the present Bill. Every effort had been made to make the Bill as general in its application as possible. The life-time of the Bill would be upto December 1935. The Bill was not intended to deal with terrorism regarding which the Council passed a special legislation in its last session.

As to the argument that the Legislature must be satisfied that the public actually demanded the measure, the Home Member said that these mea-

sures were in the larger interest of the people and would enable the people to go about their lawful occupation without interference. As to the criticism that the operation of the Emergency Powers Ordinance had given rise to sullen resentment the Hon'ble Member said that ordinary people were very grateful that peace had been restored and that Civil Disobedience was less in evidence than it was before.

In conclusion, the Home Member observed that the new constitution would come in near future and that it was all the more important that they would be able to hand over their successors a machinery that would run smoothly.

In moving by way of amendment that the Bill be circulated for the purpose of eliciting public opinion Mr. Shanti Sekhareswar Roy said that if the Bill were referred to the Select Committee, the members of the House would only be expected to consider the details of the Bill without ascertaining the views of their constituency of such a motion. The indiscriminate arrests and detentions without trial had already created much bitterness in the country and the Public Security Bill would bring in a further feeling of insecurity among the people. He referred to the peasantry of the Midnapore District and said that they were being driven to despair. As a landholder Mr. Roy opposed the Bill which, he said, aimed at alienating the tenants from the landlords.

Mr. Ananda Mohan Poddar said that a measure like this was not the right remedy to combat the Civil Disobedience movement. The Government should do something which would stimulate all sections of the people to spontaneous co-operation. The economic situation of the country was growing more and more serious—people were thrown out of employment—educated youths were unable to find employment. Unless and until these deep-rooted causes of discontent were removed, only repressive measures would not do. On the eve of the impending constitutional reforms, the Government would do better to push forward the legitimate claims of the people than to take resort to these unwelcome blunt weapons.

Opposing the amendment, Dr. N. C. Sen-Gupta said that he opposed it for the simple reason that the Hon. Mr. Prentice was right that nothing would be gained by circulation. It was not a Bill that sought public support. On the contrary, it threw a challenge to the public.

So long this policy continued, one could not have dreamt of a day when one would have peace. The 'heroes' of the Civil Disobedience Movement cannot be brought within these measures. With growing unemployment, growing distress, growing unrest and with growing sense of injustice, their number is on the increase.

Supporting the Home Member, Mr. W. H. Thompson, leader of the European group, referring to the criticism that the terrorists and Congress movements were treated on the same line, said that it did not appear to him to be so. So far as the Bill was concerned, he thought that most of the powers of the Ordinance had been whittled down or removed.

Mr. B. C. Chatterjee said the people disagreed from the whole of it. The very language employed by Mr. Prentice did not fit in with his position as an autocrat. He talked of rights but Indians had no right. What Mr. Prentice called rightly merely amounted to a licence, tenable during his pleasure and rebukable at his will whereas the Home Member in England spoke of rights, he meant in absolute obligation imposed by the people's will on the British Government which that Government might ignore at the risk of its own existence. The first thing therefore which England must do to reconcile patriotism to the British connection would be to transfer all powers, now exercised by the bureaucracy, into the hands of popular representa-

tives. He asked the Government just to think why the Swarajists were co-operating on the Corporation, although they were non-co-operating with all other Governmental bodies. The reason was, Mr. Chatterjee proceeded, that a Minister of this Council transferred real power to the Councillors of the Corporation and the Swarajists had therefore found it consistent with their patriotism to work their co-operation.

Mr. P. N. Banerjee, who supported the amendment, dwelt at length on the hardships caused to people of some villages in the district of Midnapore in the process of administration of the Ordinances. He was going to mention some specific instances of police excesses at Midnapore when he was interrupted and subjected to a series of questions and counter-questions—in the course of which the time limit granted to him was over.

At the close of the debate, Mr. Shanti Sekhareswar Roy's amendment was put to vote and was lost by 66 against 17 votes.

The original motion was then carried without division.

The Report of the Select Committee was presented in the House on the 30th November.

The Report was signed by all the members of the Select Committee, excepting Mr. J. L. Banerjee. Four minutes of dissent were appended to the Report.

Only two important changes had been recommended by the Select Committee. The first of these related to Clause 26 which originally provided for the recovery of all arrears in respect of "notified liabilities," including the rent of agricultural lands, by the Collector as public demand under the Bengal Public Demands Recovery Act, 1913. The majority of the members of the Select Committee considered that, so far as rent of agricultural lands was concerned, it was unnecessary and undesirable to give power to the Collector to recover such rent on behalf of the landlord by the certificate procedure. Accordingly, this clause was amended.

The Hon. Mr. Prentice and Mr. R. N. Reid in a joint minute of dissent from the amendment made by the majority of the Committee in this clause opine that "A movement that is directed against the payment of agricultural rent may have very serious effects on law and order and indirectly on Government revenue. Circumstances might well arise where, in addition to having the Special Powers of Clause 24 to prevent the instigation of non-payment of rent, it might be necessary also to have powers to collect agricultural rent by special means."

In a separate minute of dissent from the majority decision in regard to clause 26, Mr. W. H. Thompson, leader of the European group, says:

"A no-rent campaign is one of the most likely developments of Civil Disobedience. When Lord Cornwallis completed the Permanent Settlement in 1792, he hoped thereby to establish a class of landlords who would be men of substance, able to meet the Government revenue in times of adversity. Unfortunately his anticipations have not materialised. After 140 years the majority of landlords and middlemen in Bengal still spend on themselves all they collect each year, and it is useless to expect that the landlords will pay their revenue if they cannot collect their rents. Thus in practice a no-rent campaign will mean default in the payment of revenue to Government, and there is every justification in the application of the Public Demands Recovery Act to rents in an emergency. While, therefore, having little sympathy with defaulting landlords, I do not approve of the proposed addition to clause 26"

In another minute of dissent on this clause Raja Bhupendra Narayan Sinha Bahadur of Nashipur says:—

"The words 'other than rent of agricultural land or anything recoverable as arrears of or along with such rent' in clause 26 (1) of the Bill as amended by the Select Committee be omitted. My reasons for not agreeing to the addition of the words, are that if the words stand in the clause, the landholders will be the greatest sufferers. If a no-tax campaign be launched, it is generally the agrarian people who will be most swayed by the movement. If the Zamindars have to take recourse to the ordinary law, it will take five or six years to realise the rent and if they intend to take the advantage of the Certificate Procedure, there will be a delay of two or three years to set the machinery of the Government in motion; as to get the sanction of the Government for the Certificate Procedure it usually takes two or three years' time. In the meantime the Zamindar will have to pay his revenue quarterly to the Government. So, quicker procedure as that has been laid down in the original Bill should have to be adopted. There should be no apprehension of any oppression on tenants because the measure will be directed against the wilful non-payment of legal dues only when they are able to pay such rent, which in any case they will have to pay some time or later. If this be not done, the Zemindars will be the sufferers and not the tenants who will be benefited thereby."

The other change introduced by the Select Committee is the insertion of a new clause, namely, clause 27A which reproduces provisions of section 78 of the Special Power Ordinance, 1932. The new clause runs as follows:—

"27A. Except as provided in this Act no proceeding or order purporting to be taken or made under this Act shall be called in question by any Court, and no Civil or Criminal proceeding shall be instituted against any person for anything done or in good faith intended to be done under this Act or against any person for any loss or damage caused to or in respect of any property whereof possession has been taken under this Act."

The discussion on the Bill, clause by clause, was taken up on the 12th December and continued up to the 16th. Several amendments were put forward to mitigate or deflect the effects of the repressive clauses but none of them were carried, some being lost by a big majority, some without division.

The first amendment was by Mr. P. Banerjee who moved by way of an amendment that the Bill be recommitted.

Mr. Bannerjee's contention was that opposition had not been represented on the Select Committee. And opposition was essentially necessary in order to give the Government an opportunity at this stage to consider the Bill in details.

The Hon. Mr. Prentice replying said that in attacking the personnel of the Committee, Mr. Bannerjee was attacking the decision of the Council. The Home Member did not think there was any justification for recommitting the Bill.

Mr. Bannerjee's amendment was lost without a division.

Mr. N. K. Basu by way of an amendment sought to shorten the lifetime of the Act. He wanted the Act to remain in force until the thirtieth day of June, 1934 and not until the thirty-first day of December, 1935.

The Hon. Mr. Prentice replying said that they could not say when the new constitution was coming in. He considered that their responsibility did not end in keeping things quiet while they were in power. They were also responsible for the safe handing over of a running machinery to the new Government.

Mr. Basu's amendment was lost without a division.

In moving for deletion of Clause which empowers the District Magistrate to control the operation of any post, telegraph, telephone or wireless

office or station, and, in particular may intercept any postal article or telegraphic, telephonic or wireless message in the course of transmission, Mr. P. Banerjee said that a frequent use of this power would not only result in diminishing the provincial revenue as was the case in Bombay, but would worsen the situation. He reminded the Government that the most likely effect would be to compel people to take resort to various subterfuges for eluding official scrutiny.

The amendment was lost without a division.

Some important discussion centred round the amendment moved by Mr. Narendra Kumar Basu for deletion of the explanation to Clause 8 which empowers the District Magistrate by order in writing to depute one or more police officers not below the rank of Assistant Sub-Inspector (Head constable), or other person to attend any public meeting for the purpose of causing a report to be made of the proceedings even though such meetings might be held in a private place and notwithstanding that admission thereto is restricted by ticket or otherwise. It would give said Mr. Basu, the widest possible power to any Assistant Sub-Inspector of Police to poke his nose into any private house where the inmates of the family might be talking about domestic affairs. This would make life intolerable and this clause if allowed to remain, would be a blot on the Statute book.

Replying on behalf of the Government, Mr. R. N. Reid admitted that the wordings of the explanation were wide enough. But he pointed out that there was a safeguard provided against any abuse of the wide power vested in the A. S. I.'s in that they must get a previous order in writing from the District Magistrate before action could be taken under this Clause.

Mr. Basu's amendment was lost by 59 against 29 votes.

In response to requests by several non-official members for reducing the penalty provided for in Clause 11 for disobedience or negligence to comply with any order made or direction given to any person not to enter reside or remain in any specified area and not to conduct himself in any manner specified by local authorities the Government adopted the amendment of Khan Bahadur Azizul Haq which suggested one year's imprisonment instead of two years as in the original clause.

Mr. Narendra Kumar Basu next put forward a strong plea for the deletion of clause 17 which empowers a Special Magistrate to pass any sentence authorised by law, except a sentence of death or transportation or of imprisonment exceeding seven years. Mr. Basu said what the Government sought to do under this clause was to have legislation by the back door.

Supporting Mr. Basu's amendment, Dr. N. C. Sen Gupta said that the wide powers of trying any case and passing any sentence excepting the death penalty as given under this clause to the Special Magistrate would be absolutely preposterous. What constituted the greatest danger under the provisions of this clause was the fact that the term " movement prejudicial to public safety, " was nowhere precisely defined, although the Special Magistrate was empowered to try anybody who might be deemed to have done any thing which in his opinion was prejudicial to public safety.

Opposing Mr. Basu's amendment, Mr. Reid assured the House that this clause was intended not to meet the present conditions, and not to harass the ordinary citizens. But it was intended definitely to harass those persons who during the last two years had succeeded in making the lives of ordinary citizens unsafe.

Clause 19 sub-section 2 which provides that the question whether or not an offence tried by a Special Magistrate is of the nature contemplated to be dealt with under this Act shall not be raised in any court other than the

court trying the offence, and where such question is so raised, it shall be referred to the District Magistrate, and his decision shall be final, evoked considerable opposition from Messrs. N. K. Basu and H. S. Suhrawardy but to no purpose.

Mr. N. K. Basu, however, contended that provision under this clause was *ultra vires* of the Provincial Legislature and wanted the Hon. President's ruling on the point.

The Home Member explaining the position on behalf of the Government said the Clause did not affect the jurisdiction of the High Court in the least and that there was no such intention on the part of the Government either. The Hon. President deferred giving his ruling on the point till the next day when he ruled that the words used in the clause were elastic and ambiguous. He suggested to the Government to add an explanation to the clause to the effect that " nothing in that sub-section shall affect the jurisdiction of the High Court."

In giving the ruling the Hon. President observed: "It is beyond the shadow of a doubt that the local legislature has no power to bar or in any way restrict the jurisdiction of the High Court. Even if there is anything in that clause which may appear to affect the jurisdiction of the High Court, it is null and void."

The Hon. Mr. Prentice accepted the suggestion and added such explanations were necessary. But he made it clear that by accepting it the Government did not divest themselves of the right to bring subsequently any legislation, if necessary, in the Assembly.

Mr. N. K. Basu said that his objection to clause 19 (2) still remained and he pressed for its deletion. The motion, however, was defeated.

Mr. N. K. Basu moved for the deletion of the clause which indemnified the officers taking action under the Act. This provision gave powers to the officers for doing things which were not permissible under the Act.

The motion was defeated.

Clause 20 (4) which empowers a special magistrate to proceed with a case under this Act even in the absence of any or all of the accused who has rendered himself incapable, by his voluntary act, of appearing before the court or resisted his production before the magistrate, was strenuously opposed by several non-official members. Mr. N. K. Basu characterised the provision contained in the sub-clause as thoroughly un-British and inconsistent with all conceptions of British jurisprudence.

His amendment was lost by 29 against 57 votes.

An attempt was next made by Mr. Mukunda Behary Mullick and Moulvi Hasan Ali to prevent rent of agricultural land or anything recoverable as arrears of or along with such rent being declared a ' notified liability ' for purpose of this Act. Mr. Mullick thought it would widen the gulf of the relationship between the tenants and landlords which was already strained on account of various legislations already enacted.

Mr. H. S. Suhrwardy admitted that attempts were made in the interior of Bengal to stir up agrarian troubles by the agents of the communists and the Congress but that they had not succeeded anywhere. He thought there was nothing like a real no-rent movement as yet in this province and as such Government might well afford to do without this extraordinary power.

Replying, the Hon. Mr. Prentice said that from their experience elsewhere that things had taken serious form, any subversive movement here also might take the form of no-rent campaign.

The amendment was pressed to a division and declared lost by 32 against 70 votes.

The Hon. Mr. Prentice's amendment to Clause 26 of the Bill where the Select Committee decided to exclude non-payment of agricultural rent from the operation of this Act, met with a strong opposition from Hindu and Mahommedan members alike.

Opposing the amendment, Mr. Santi Sekhareswar Roy warned the Zeminders not to support the provision of this amendment which in his opinion was very injudicious and unstatesmanlike. After all, Mr. Roy said, the zemindars had to depend a great deal on the good-will of the tenants and they ought not to welcome the prospect of realising their rents at the point of the bayonet, as proposed under the present amendment of the Hon. Mr. Prentice.

Khan Bahadur Azizul Haque opposing Mr. Prentice's amendment apprehended that the powers under this clause might be misused in the interest of landlords for realisation of arrears of rents.

Mr. Thompson, the leader of the European group, enquired of the Home Member if the provision under this clause would be utilised to help the zeminders in realising their outstanding arrears of rent.

Replying, the Hon. Mr. Prentice assured the House that Government would not use this power as an opportunity to enable the zeminders to collect the whole of the arrears outstanding. Realisation of rent under this clause would be limited only to the period affected by no-rent campaign. Ordinarily, the district magistrate would sanction proceetdings under this clause for realising quarterly 'kists.' In no case the period should exceed one year.

The amendment was put to vote and carried without division.

MOTION FOR FINAL CONSIDERATION

The Hon. Mr. Prentice then moved that the Bill, as settled in the Council, be passed.

Opposing the Bill Mr. Syama Prasad Mukherjee said that he had not taken part in the discussions of the Bill at the earlier stages, not only because he thought that such discussions would be futile but also because he did not like that the Hon'ble Mr. Prentice should be deprived of the credit of having presented before the Council a bill which was perfect in its imperfections. Mr. Mukherjee said that they had all noticed the drastic provisions of the Bill. He would ask the House to consider for one moment, before the Bill is actually passed, the nature of the provisions which they were going to pass. The Bill contained drastic provisions for indiscriminate searches which could be made by any officer, within which term was included even a Head Constable. There were provisions in the Bill which gave powers to the Government to detain persons, to deprive them of their legitimate work, and also power to make no grant of allowance to such persons who might be detained on the provisions of the Bill. Then there were provisions which gave powers to the Government for the purpose of controlling telegrams, and telephones. Large powers had been given to Special Magistrates who would not only have jurisdiction to try offences made punishable under this Act but also any other offence which might be regarded as the part of any movement undermining public security.

The aspect of the question which he would like the Hon'ble Home Member to consider is this: it was repressive measures like this which also indirectly gave a new lease of life to the terrorist movement. That was the considered opinion of many. What, he asked, would be the effect of these repressive measures ? "You practically succeed in preventing people from giving expression to their legitimate views on governmental policy and action. The result is that you drive the movement underground." That was

certainly one of the indirect results which the Hon'ble Mr. Prentice was going to achieve although the speaker was perfectly certain that he did not intend to do so.

The Hon'ble Mr. Prentice had stated on several occasions in introducing measures of this kind that he wanted to leave a legacy behind them, that he wanted to hand over to his successors a Government which would be working in smooth order. Let the House consider for one moment what kind of legacy the Hon'ble Mr. Prentice was going to leave behind him. Apart from any other considerations. he would be leaving behind a government entirely bankrupt he was not for the moment referring to its bankruptcy of statesmanship but only to financial bankruptcy,—a province steeped in debt and mortgaged for years to come to the central Government, a province which was overburdened with ignorance, poverty and many fell disease. Was this the sort of legacy the Hon'ble Mr. Prentice was content to leave behind him? And to crown all, there would be all these repressive measures. Would that be the sort of legacy that the Hon'ble Home Member was going to leave behind ? So far as the speaker could see, he could say—he hesitated to make any prophecy—that a time would certainly come in the history of this province when the Hindus and Mahomedans would combine and work for the mutual benefit of the Motherland. And when such a time came, the speaker was sure that the Hon'ble Mr. Prentice and men of his like who were carrying on the administration now would get this impression from the United-Voice of the two communities that they did not serve the interest of the country which they claimed to serve as well as good as they would have done.

Replying, the Hon. Mr. Prentice said that wider powers had been used in the Province for the last 11 months and he asked the members to remember what was the state of the Province. As regards Mr. Mookherjee's contention that the Bill aimed at attacking the Indian National Congress, Mr. Prentice said that he was entirely wrong. It was only when any illegal movement was sponsored by the Congress, it would come within the provisions of the Act. Indian National Congress, so far as it kept its activities within constitutional lines, lay entirely outside the ambit of this Act. As regards the picture drawn by Mr. Mookherjee of Hindus and Mahomedans working hand in hand. that would only be one of the results of passing this Bill.

Mr. Prentice's motion was then put to vote, and carried by 52 against 22 votes.

BENGAL LOCAL SELF-GOVERNMENT (AMENDMENT) BILL, 1932.

The Bengal Local Self-Government (Amendment) Bill, 1932 as modified by the Select Committee was presented in the Council on the 28th November by the Hon'ble Mr. Bijay Proshad Singh Roy. In presenting the Bill, the Hon'ble Minister said that in moving for reference of this Bill to Select Committee in February this year he made it perfectly clear that if this Bill no attempt was made to alter the consitution of the District Boards and Local Boards. Though it was high time and desirable that the constitution should be fully democratised but any such attempt was deferred on the recommendations of the conference of chairmen held in Darjeeling in October 1930. This Bill was only meant for removing some administrative difficulties that had been experienced of late and the removal of which was considered essential for more smooth working of the district boards. With this object in view the Bill was drafted and introduced. The Select Committee met on the 29th February and concluded its work on the 8th of March.

Metioning some of the important changes that had been recommended by the Committee, the Hon. Minister said that as in the Bengal Municipal Bill, the Local Government had been substituted for the Commissioner wherever it was found practicable. By this the principle of bringing the District and Local boards directly in contact with the Ministry of Local Self-Government was sought to be realised. Thus the appointment of members of the District Board which was now done by the Commissioner had been transferred to the Local Government. So also in case of the removal of members on the ground of misconduct was to be done by the Local Government directly instead of on the recommendation of the Divisional Commissioner.

Concluding the Hon. Minister said that the Select Committee had not made any substantial change in the power which was proposed to be given to the District Board to ask owners or lessees of fairs, melas, private hats or markets to take out licenses on certain conditions in the interest of public health. The Select Committee had accepted the principle and had only introduced some verbal alterations limiting the power of asking only owners or lessees to take out such license.

Government had accepted practically all of them excepting clause 11, namely deletion of election deposit.

The Hon. Minister moved an amendment to fix a sum of Rs. 100 to be deposited by a candidate for election. The amendment was opposed by some members who argued that the deposit system would cause inconvenience to real children of the soil. However, a compromise resolution fixing the sum as Rs. 50 which might be reduced to Rs. 25 by the Local Government was adopted.

There were some 83 amendments to the Bill, some of which were carried and some rejected. The Bill, as amended, was passed on the 1st December. The important amendments are as follows:—

That in clause 37 for proposed clause (b) of Section 63, the following be substituted, namely:—

" (b) make grants-in-aid of any schools or class of schools whether the same be under public or private management, and of any libraries maintained for the public benefit and open to the public and on the managing authority of which the district board is represented.

In any district or part of a district where primary education cess is imposed under the Bengal (Rural) Primary Education Act, 1930, the District Board, notwithstanding anything contained in this section, shall not make any direct grant-in-aid of any primary school recognised under Section 54 of the said Act, in such district or part but the district board may, subject to any rules made by the Local Government under this Act, contribute to the District Primary Education Fund constituted under the Bengal (Rural) Primary Education Act, 1930."

Explaining the amendment, the Hon. Mr. Khwaja Nazimuddin said that when the Bengal Primary Education Bill was introduced in the Council, an undertaking was given to the District Boards that they would not be called upon to contribute funds towards Primary Education when the Primary Education Act was enforced. But, it was possible that inspite of Government not calling upon District Boards to contribute towards Primary Education, the Boards might themselves desire to do so voluntarily. In such a case it would not be fair for the Government to prevent District Boards from so doing. Therefore this provision had been inserted that subject to rules being made by Government, District Boards could contribute to the District Primary Education Fund. But the Boards would not be allowed to give grants to such schools direct, because under the Primary Education Act, District

Primary Schools would be controlled by the District Primary Education Board, its fund consisting of Primary Education Cess, contribution by Government and other voluntary contributions and donations.

Once District Boards, the Hon. Minister pointed out, started making direct contributions to individual Primary Schools, there was likely to be trouble between the District Boards and the District Primary Education Board. It had therefore been suggested that if the District Boards were inclined to make any contribution towards Primary Education Fund, they should make it to the District Primary School Board who would utilise it to the spread of Primary Education in the particular districts. So far as the District Boards were concerned, this contribution, if any, would be voluntary there being no question of compulsion.

THE BENGAL CRIMINAL LAW (ARMS & EXPLOSIVES) BILL, 1932

The Bengal Criminal Law (Arms & Explosives) Bill, 1932 was presented in the Council on the 5th December by the Hon. Mr. Prentice, Home Member. In moving that the Bill be taken into consideration he said that the Bill had been forced on the Government by the action of the terrorists. The Bill proposed to deal with three sets of people, (1) those engaged in unlawful importation or exportation of arms, (2) those armed unlawfully and (3) those having unlawful possession of, or control over, any arms, ammunition or military stores.

Clause 3 of the Bill provided that a sentence of transportation for life, or any shorter term, or of imprisonment for a term which may extend to 14 years, or of fine, might be imposed for offences under clauses (c), (e) and (f) of section 19 of the Indian Arms Act, 1878 if the offences were committed in respect of certain weapons which were commonly used in the commission of terrorist outrages. Offences under these clauses of section 19 were at present punishable with imprisonment which might extend to three years, or with fine, or with both. Such sentences were totally inadequate as a deterrent now that the terrorist menace and the smuggling of arms had reached their present dimension.

Mr. P. Banerjee moved, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1933.

The amendment was lost without division.

Three other amendments brought in by Mr. S. C. Roy Chowdhury were also lost.

The Hon. Mr. Prentice then moved that the Bill, as settled in Council, be passed.

Opposing the Bill, Mr. Santi Sekhareswar Roy said that it was indeed a distressing spectacle to find the Government bringing in such measures one after another before the House. Proceeding Mr. Roy said that murders there had been many in the province. But because attempts were made on Europeans, the Government felt that such a measure was necessary.

The Bill was passed without division.

GOVERNMENT DEMAND FOR GRANTS

EXTRA POLICE EXPENDITURE

Moving that a sum of Rs. 3,00,000 be grated under the head "26—Police" for the current financial year to meet anticipated extra police expenditure in connection with revolutionary movements, the Hon. Mr. Prentice said that the demand of three lakhs covered two branches of the police, namely detection and investigation. In Calcutta they had to increase the force and they

hoped to meet it by re-appropriation but unfortunately the case was otherwise in Bengal. It was provided both for central intelligence bureau in the district and for staff. In addition they had to pay certain expenses for mobility but provided for certain motor car allowances for staff at Dacca. There would be further additional expense which Government had recently sanctioned by increasing the force at Dacca by 100 armed men. Government appreciated the financial difficulties of the province but it could not excise its full responsibility for the safety of the province without making this extra provision.

Mr. Santi Sekhareswar Roy moved that the demand of Rs. 3,00,000 under the head "26—Police" be reduced by Rs. 100. In doing so he said that he moved this cut motion to protest against the decision of the Government to realise the collective fine of Rs. 80,000 from the Hindu residents in Chittagong. A collective fine could only be justified when in a particular area a large number of people were concerned. But so far as Chittagong was concerned, nothing of that nature had happened yet. The Government announced their decision to this effect shortly after the Pahartaly outrage.

Mr. P. Banerjee moved a token cut to raise a discussion about the recent excesses on the part of the police.

Continuing, Mr. Banerjee said that there had been excesses on the part of the police at two ends of Bengal, Chittagong and Midnapore. Year after year the police budget increased and the speaker thought that all this money had been wasted without any result.

Supporting the amendment of Mr. P. Banerjee, Moulvi Abdul Karim thought that there was no difference of opinion as regards the necessity of putting down terrorism with a firm hand. If there was any hesitation in supporting measures for the suppression of terrorism, it was because people feared lest these should be abused and turned into engines of oppression by unscrupulous officers. They had received reliable information which they had no reason to disbelieve, that a number of innocent men were roughly handled on the occasion of a search for absconders.

Proceeding, Moulvi Abdul Karim said that the fact that not even a single absconder was found in any of the houses searched, unmistakably showed that action was taken on absolutely mischievous or false information, although it had been said that the information was "definite."

Supporting both the motions Mr. Syama Prasad Mukherjee said that with reference to the first amendment of Mr. Santi Sekhareswar Ray, public opinion on this question had been manifest since the proposal was made had been made that such collective fine was going to be imposed on the people of Chittagong. "But one thing strikes me regarding this question. I admit what Government says to be true, namely, that there are certain absconders who require to be apprehended. But I fail to understand how the Government can possibly blame the residents of Chittagong when Government itself fails to put these people under arrest."

Government had a number of measures and unlimited funds at their disposal and also had the assistance of the police, the military and the C. I. D. and in spite of that they failed to find out the absconders. So, in the eyes of the world, who were to be blamed. If there should be a cut in the salary of any one, he would ask the Hon. Mr. Woodhead to cut the salary of the member in charge of this department. If any one proved inefficient, it was certainly the Department itself and for that reason it did not become any Government to say that they were going to penalise the entire population of Chittagong, belonging to a certain community.

Khan Bahadur Moulavi Abdul Momin speaking on the motion said that he rose to speak on the motion not in anger but in sorrow. Most of them

had consistently supported the Government in providing the Executive with special powers they needed for the suppression of terrorism and Civil Disobedience in the province and they would continue to give their support so long as condition which necessitated such powers existed. He stood up to protest against the manner in which some officers of the Government were using their power.

Referring to the Hon. Mr. Prentice's reply to questions in the Council regarding Chittagong incidents, the Khan Bahadur said that they were not concerned with intention but with action, whether such action did or did not affect the susceptibilities of the people in general and of the ladies in particular.

Proceeding Khan Bahadur said that he had been told by the Hon. Mr. Prentice that the D. I. G. was a responsible officer. He knew that the D.I.G. was so but he also knew that people had more faith in the Magistrate or the Judge than they had in the police officers, particularly in a case where certain things were alleged to have been committed by the subordinate police officers.

Mr. Santi Sekhareswar Ray's motion was lost without a division. Mr. Banerjee's motion was put to vote and was rejected by 43 against 28 votes. Six Mahomedan members including Khan Bahadur Azizul Haq, Mr. H. S. Suhrawardy, Nawab Mossraf Hossain remained neutral.

The original motion of the Hon'ble Mr. Prentice demanding the grant of Rs. 3,00,000 was passed without division.

EXCESS EXPENDITURE FOR POLITICAL PRISONERS AND TROOPS

At the sitting of the 7th December, the Hon. Mr. J. A. Woodhead, Finance Member moved for a sum of Rs. 2,10,001 including a token sum of Re. 1 to cover the expenditure in excess of the voted grant on account of persons dealt with under the Bengal Criminal Act, 1930, as, amended by the Bengal Criminal Law Amendment Act, 1932, and detained outside jails in Bengal and to meet the expenditure of the military force stationed at Chittagong and at other places in Bengal.

When the motion of Mr. Woodhead came up for discussion Mr. Santi Sekhareswar Ray said—" Sir, I rise to a point of order in connection with the demand under the head '47.—Miscellaneous' moved by the Hon'ble Mr. Woodhead and I pray for a ruling from you, Sir, on the point whether the Hon'ble Mr. Woodhead is in order in placing this demand before the House. There are two points: the first point is; it is token demand for Re. 1 in connection with expenditure on the military forces. Now, sir, if you please refer to the Devolution Rules, Part I, page 133 of the Government of India Act, you will find that all matters connected with His Majesty's naval, military, and air-forces in India are Central subjects. So any demand in this connection should rather be made in the Legislative Assembly. I ask for a ruling from you whether this demand should be placed before the Legislative Assembly or this Council.

My second point is this: The Hon'ble Member has brought in the two demands together and I ask whether in asking for a supplementary grant, in connection with new subjects, he is in order in asking the sanction of the House to a token demand. If you refer to page 307 of the Rules you will find that an estimate shall be presented to the Council for a supplementary grant or additional grant when a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the Budget for that year. I ask, sir whether in the absence of such an estimate a token demand is permissible."

Mr. President: I should like to hear the Hon'ble the Finance Member before I decide the point.

The Hon'ble Mr. J. A. Woodhead: The first point raised by the Honourable Member concerns the classification of subjects, that is whether military or army expenditure is a provincial subject or Central subject. It is Central subject but the cost incurred on this for the needs of Bengal has been debited to the provincial revenues in the previous years.

With regard to the second point, it is a token demand under one head "47.—Miscellaneous." I see nothing irregular therefore in moving one demand under one major head of expenditure although it is composed of two different items.

Mr. President: Are you satisfied with this answer to your point ot order?

Mr. Santi Sekhareswar Ray: No, sir, I submit that the Government ot Bengal have no discretion in the matter at all, because it is clearly laid down that any matter connected with the army cannot come up before a local legislatiure. We cannot discuss any action of oppression, operated by the troops nor can we make any demand in connection therewith.

Mr. President: Could the Hon'ble Member cite any precedent in justification of his case.

The Hon'ble Mr. J. A. Woodhead: On previous occasions we have done so under peculiar circumstances, although I speak subject to correction.

Khan Bahadur Maulvi Azizul Haq: An important point has been raised to my friend and it is this. Can this House discuss the working of the army so far as provincial utilisation is concerned? In this case the army has been used for the provincial purposes and a budget is presented to the House and the question before the House is—can we sanction that demand and, in doing so, can we exercise our legitimate right of criticising the activities of the troops That is a definite point and I think this matter should be settled by a ruling from the Chair.

Mr. Santi Sekhareswar Ray: May I make another submission, Sir. This could only be done if there had been a notification by the Government ot India making all these subjects a matter of provincial concern. If you will refer to page 143 you will find that there are certain Central subjects which may constitute a matter of provincial concern by a Government notification such as survey of minor air routes, maintenance of flying services, etc., etc., but in this case no such notification has been issued.

The Hon'ble Mr. J. A. Woodhead: With regard to all these points, sir, I may say that the Central Government has never raised any objection and that is why such a demand has been brought forward here. I hope this explanation will satisfy the honourable members.

Mr. President: If I understand aright, this action appears to be based upon precedents. If Government had taken similar action in the past with the concurrence of this House, I think that precedent should guide us now unless it can be established that there has been any serious breach of any rule binding on this House or if there is any serious irregularity against which the House may legitimately complain. I do not think that the honourable member who has raised this point of order is in a position to say that no such precedent was created by this Council or there has been any serious irregularity in the procedure adopted by the Hon'ble Finance Member in bringing forward motion under review.

The demand was ruled in order by the President.

There were three motions for reduction all of which were defeated. The motion of Mr. Hassan Ali for the reduction of the demand by Rs. 101 to criticise the policy of the Government regarding stationing of military force

in various places in Bengal incurring unnecessary expenditure thereby during the economic crisis in Bengal was pressed to a division and was lost by 37 to 52 votes, and the demand of the Hon. Finance Member was granted.

ROAD AND PUBLIC WORKS CESSES

The first resolution of the November session of the Council moved by the Maharaja Jagadish Nath Roy was as follows:—

"This Council recommends to the Government that the Zamindars and tenure-holders be relieved of the duty of realising road and public work cesses."

In moving the resolution, he said that, by following a step which he termed "revolutionary," the council would be doing away with a system that had worked havoc among the big proprietors as well as middle-class men and that had also proved to be a source of discord between landlords and tenants.

Kazi Emadadul Haq and Khan Bahadur Azizul Haq opposed the resolution.

Replying, the Hon. Sir P. C. Mitter said that the cost of collecting the cess by direct agency would be somewhat near 35 lacs of rupees. It was impossible for the Government now to shoulder the burden of this amount. It was a statutory obligation on the Zemindars. So long as the present Cess Act was in the Statute Book, the Zemindars were bound to collect the cess. The system could only be changed if the law was amended. If any one brought a proposal for amending the Cess Act and if that proposal had the approval of the majority of the members, then Government would consider such proposal with sympathy.

On this assurance the resolution was withdrawn.

BENGAL MONEY-LENDERS' BILL

The Bengal Money Lenders' Bill, 1932 as moved on the 22nd November by Khan Bahadur Maulavi Azizul Huq, was referred to a Select Committee.

The present Bill proposes:—

(1) to make registration compulsory for all money-lenders who are not permanent residents nor have permanent domiciles; (2) to abolish compound interest; (3) to make a clear provision which the courts shall follow in determining excessive interest and harsh and unconscionable transacctions in giving effect to the provisions of the Usurious Loans Act of 1918 and thereby supplement the provisions of this Act; (4) to make a debtor know all informations regarding his loans; (6) to fix maximum rates of interest for secured and unsecured loans; (6) to make habitual usury a penal offence; and (7) to empower courts to take tender of money, for loans as interest or principal. Provisions have been made by which Local Government is empowered to exclude municipalities from the operation of the Act with a view to leave industrial finance unaffected by the provisions of the Bill, while all agricultural finance shall always come within the scope of the Bill.

The Bill is mainly to give relief to the agriculturists and labourers and the city of Calcutta is excluded by the Act.

Opposing, Rai Bahadur Satyendra Nath Das said that if the Bill was passed, no money-lenders would advance money to those who need it at this time of economic crisis. He praised the object of the Bill but opined that it would not help the borrowers.

Supporting, Dr. N. C. Sen-Gupta said that it was true that the Bill did not go a long way in solving the whole problem. The problem could be solved by a comprehensive programme. 'But why should we wait and not

pass some Bill which will to some extent attenuate the gravity of the situation'?—he asked. The speaker hoped that the Bill would considerably improve in the Select Committee. The Khan Bahadur's Bill did not really provide for giving relief to all debtors who might be oppressed by money-lenders. It was only those who came before court that could get relief by the provision of this Bill.

In moving for the recirculation of the Bill Mr. A. M. Poddar said that an important legislation of this nature cannot be entertained without ascertaining public opinion thereon. If by drastic measures the money-lender is compelled to discontinue his business, the poor cultivators will be put to greater difficulties. As the present Bill is going to supplement the Usurious Loans Act of 1918, the proper place for its introduction is the central legislature. The penal clause in the present Bill is also most inequitable, uncalled for. Along with the measures proposed for the convenience of the debtors proper arrangements should have been made for the realisation of the money-lenders' dues.

The Hon. Mr. Prentice explaining the position of the Government stated that they would support the motion for reference of the Bill to the Select Committee on the distinct understanding that it would be open to the Government members to propose considerable modifications and also to subject the Bill to a closer examination in regard to its financial and economic aspects in the Select Committee.

Nawab Musaraf Hosain while supporting the motion for reference, pleaded for caution in dealing with a vast and complicated subject like this.

The motion for circulation of the Bill for eliciting public opinion which was made by Rai Bahadur Satyendra Nath Das was lost and the original motion of Khan Bahadur Azizul Haque for reference to a Select Committee was carried.

MELA SANITATION BILL

On the 22nd November, Khan Bahadur Azizul Haque moved that the Bengal Mela Sanitation Bill, 1932, be referred to a Select Committee, with instruction to submit their report by the 7th January next and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

In moving the reference of the Bill to a Select Committee, Khan Bahadur said:—

Melas and fairs have been the recognised agencies to spread out many infectious and contagious diseases in the Presidency of Bengal. The necessity of making better provisions for the public health and sanitation with consequential medical and other needs have been long recognised by almost all the local authorities in the presidency, but beyond some, ineffective advices, the District Boards or municipalities or their Health Officers have been hitherto more or less helpless in the matter.

With a view to afford the necessary sanitary and public health control, in the Health Officers which have now been appointed in all District Boards and in most of the municipalities in Bengal, they are being given the power to grant sanction for the holding of melas and without such sanction, no mela should be permitted. With a view to check any misuse of such power, there is provision made for applying to a Board against any order of the Health Officer, wherein the Chairman, the Vice-Chairman, the Civil Surgeon and one medical man nominated by the applicant shall sit to decide finally this matter. The Director of Public Health being ultimately responsible for the public health and sanitation in this presidency, ultimate power is also vested

in him to permit any mela notwithstanding any order by the Health Officer or by the Board mentioned above.

On the breaking out of any serious epidemic endangering human safety, provision has been made in this Bill to move the Civil Surgeon and the District Magistrate to stop mela, should such a course be deemed necessary in the interest of public health. Other consequential provisions have also been made to make such order effective.

The settlement of public women in melas has come to be an acute social problem and provisions have been made to stop it and, if necessary, to eject such women from the melas and from the locality.

Provision has also been made to guard public health so that men with any infectious or contagious disease may not further spread out such disease by contact, with the sale of food or any other article and the notification of all such outbreaks in and around melas have been made a duty of all persons knowing the same. While this has been specially provided for operation in mela areas, it has been left at the option of the local authorities to permanently safeguard public health by applying this provision for all the year round in any or whole of such local areas. Ultimate power has been reserved in the Local Government to exclude the operation of the Act or any of its provisions from any cantonment, or any backward areas or to any other area where the operation of this Act may not be feasible for all practical purposes. A large congregation for a day on any festive or a religious occasion in any municipal area wherein nobody may in particular be responsible for the holding of such congregation or mela may be an instance in point.

Opposing the Bill, Messrs. Sarat Kumar Ray and Santi Sekhareswar Ray said that the Bill threatened to interfere with the holding of Melas on the occasion of religious festivals.

Opposing the Bill, Mr. N. K. Basu said that the Bill would be poaching, firstly, on the Local Self-Government Bill and for the rest on Mr. J. N. Basu's Suppression of Immoral Traffic Bill.

The motion for reference to a Select Committee was however carried.

Syed Majid Baksh's motion to refer the Bengal Tenancy Protection from Usury Bill, 1932, was also carried.

RETRENCHMENT REPORT

Khan Bahadur Abdul Momin in urging to give effect to as many of the recommendations of the Retrenchment Committee as possible in the budget of 1933-34, said that it should be done so as early as possible in order to lighten the burden on the provincial finance.

Mr. W. H. Thompson, leader of the European group, hoped that the budget would be drawn up with full reference to the proposals of the Retrenchment Committee but there should be no hasty decision.

Rai Bahadur Sasanka Kumar Ghosh opposed the cut in the grant for the Dacca University.

Mr. Shyama Prasad Mukherjee strongly supported the recommendations of the Retrenchment Committee with regard to the Indianisation of the services. He was opposed to the abolition of technical and commercial institutions. Coming to the recommendations of the Committee with regard to Education Department, Mr. Mookherjee, strongly opposed any reduction in grants. While realising the financial difficulties of the Government, he urged that if they could not spend more on education, let them not spend less than what they were doing at present.

Mr. Mookherjee concluded by saying that they must see that the Nation-building Departments did not suffer only for purpose of enabling Mr. Prentice's Department to flourish.

Mr. Narendra Kumar Basu remarked that the Retrenchment Committee had let off the Reserve Departments rather lightly while they had hurled all the fire and energy at the Transferred Department. If they made an analysis of the recommendations of the Committee, they found that the sum-total of the reduction in the Reserve Department came up to 7 per cent of the budget, whereas the reduction recommended in the Transferred Department came upto 16 per cent. The proportion was 2 to 1.

Maulavi Abdul Karim urging the reduction in the cost of the top-heavy administration, opposed reduction in educational grants.

Mr. Fazlul Haq said all recommendations would be futile unless heavy axe was laid at the top-heavy administration which had become a scandal in the province. He asked the members of the Bengal Cabinet to follow the example set by the Bombay Government, wherefrom two Executive Councillors and one Minister went out when they found that the finances of the province could not maintain them.

As regards the two Indian members of the Executive Council they saw how sickly jaded, care-worn they were and it was time that they should enjoy their well-earned rest instead of being a burden on the provincial revenue. He could not understand why the ministers should draw Rs. 34,000 a year while there was economic depression all the country. They should make a voluntary cut in their salaries.

Mr. Haq said that the deficit in the revenue should be met by voluntary sacrifice by higher officers. The pay of the poor chaprashis and the clerks should not at all be touched.

The Hon. Mr. Woodhead said that the report of the Retrenchment Committee had been in the hands of the Government for short time only. They had not yet been able to come to a decision with regard to them. That did not of course mean that the Government would not proceed to make their decision as early as possible.

The deficit amounted to Rs. 2 crores. Therefore retrenchment was essential.

The Government had already made retrenchments in various departments which amounted to nearly 80 lakhs of which the sum of Rs. 37 lakhs represented the saving egected by 10 per cent cut in pay.

If the Government's resources had not been wasted fighting terrorist and kindred movements which cost Rs. 21 lakhs a year, they would be in a better position.

The motion of Khan Bahadur Abdul Momin was carried.

SECOND CHAMBER FOR BENGAL

At the sitting of the 25th November, Mr. S. M. Bose moved the following special resolution:

"This Council requests the Government of Bengal to communicate to the Government of India and His Majesty's Government in England the opinion of this Council that in the new constitution that is shortly going to be established in Bengal, the Provincial Legislature should consist of two Chambers, instead of one, the Upper Chamber to be a real House of Elders."

In moving the resolution Mr. Bose said:—

Under the system of dyarchy now prevailing, the question of the Second Chamber did not arise (as the Lothian Committee said P. 149, para 376) be-

cause the legislatures were responsible only over a very limited sphere. But with the decision that there should now be established responsible Government—autonomy in the Provinces—the question has become one of considerable importance. In other words, so long as there was a real and substantial check on the powers and functions of the provincial Council, so long as there was what I may call an 'external' check, there was no need for a Revising Chamber. But now that our powers are going to be considerably enlarged, now that external checks are to be removed, we must have internal checks, checks in the legislature itself provided by the creation of an Upper House.

"Next, the present power of veto by the Governor over the legislature is a source of irritation to the people. When our powers are going to be enlarged under a system of provincial autonomy, the power of veto is likely to be made more extensive unless there be a Second Chamber. To prevent needless friction and unpleasantness resulting from the Governor's veto (the exercise of which will be likely to be more frequent with the extention of power of a single Chamber), there must be a Second Chamber. Our desire is to reduce the power of veto as much as possible so that the Governor will be in a position analogous to the King in England.

"My third ground for urging the establishment of an Upper Chamber is the tremendous extension of the electorate proposed. I want to make it quite clear that if I am not opposed to the extension of the franchise, I welcome it as a move in the right direction. But as I said, it requires careful watching. Further, it is well-known that the lower the franchise, the greater is the chance of voters being carried by gust (waves) of wind. They are likely to be swept off their feet and prone to fits of emotion which temporarily cloud their vision. This is at once the glory and the weakness of democracy—glory, as it rises to heights of noble emotion, weakness as it loses sight of other considerations. Now an Upper House is likely to form a breakwater against these sudden storms, sudden tidal waves. Thus on the grounds set forth above it would appear reasonable and proper that there should be an Upper Chamber in Bengal. I therefore assert that in Bengal under the new constitution, there must be an Upper House."

Proceeding, Mr. Bose said, "From a brief examination of various countries all over the world, we find that there is invariably an Upper House, as a safe guard or check. This is so, whether the State is unitary or is made up of a bundle of States or a Federation, whether it be an absolute or a limited monarchy or republic.

"No important State, whatever its form and Government, whether federal or unitary, monarchical, or republican, whether the constitution be fiexible or rigid, is willing to do without a Second Chamber. History shows us that three of the greatest of the modern States actually tried the experiment of a Single Chamber—England, France and the United States, but afterwards gave up the experiment. It has been shown above that Federal States like America and Australia have two Chambers, not only in the centre but in the Provinces as well."

Coming to the character of the Upper House for Bengal Mr. Bose said: "I want to make it clear that I do not want anything like the House of Lords, a House filled with hereditary nobility who are always averse to progress, a House which is the abode of the Die-Hards. We want in the House an aristocracy of intellect, men of education and experience in the service of the State, men representing the great social and industrial interests in the country, men of sufficient strength to avoid the evils which might possibly flow from the unbridled powers of an autocratic Lower Chamber. The Lower House in an autonomous Province, to my mind, supplies the

motive force, the engine power so necessary for progress. The Upper House, properly constituted, will serve as a brake to check dangerous speed."

Opposing the motion, Moulvi Abdul Karim said that in these days when there was an insistent demand for democratic institutions, a proposal for the establishment of an Upper Chamber was a retrograde move. In a province like Bengal the establishment of an Upper Chamber, would be most detrimental to the interests of the bulk of its people. Without knowing the constitution and the real functions of the Provincial Upper Chamber, it would be something like signing a blank cheque to agree to its being established. Proceeding Moulvi Abdul Karim said: "Bengal is pre-eminently an agricultural Province, where the interests of the tillers of the soil really constitute the interests of the country. Should anything be done that would jeopardise those interests? Higher franchise for an Upper Chamber would preclude people of moderate means, who form the majority of the intelligentsia, from finding a place in such Chamber, and the result would be that measures beneficial to the aristocratic and capitalist classes, but detrimental to the masses, would always find ready support.

"As regards the constitution of an Upper Chamber, in the existing circumstances I cannot think of any basis other than communal on which such a Chamber can be constituted. The Prime Minister's assurance in the statement on the communal award that the "communal balance" will not be disturbed in any provincial second Chamber, supports this view. The present Council of State has been constituted on that basis. If its precedent is followed, any ulterior motive that there might be for getting an Upper Chamber, would be frustrated and disillusionment might come when it would be too late."

Opposing the motion, Mr. Abdul Kasem said that he would gladly support the mover if he moved for the suspension of all legislatures in the country but not being a student of constitutional history it was difficult for him to follow the speech of the mover of this question.

"Broadly speaking, as an uncultured lay man, I find the argument is that the Second Chamber will put a check on the vagaries of the Legislative Council. I now understand that the Legislative Council is likely to do things which will go against the interest of the people of Bengal.

"I find that the object of the Second Chamber is to curtail the power of his Excellency the Governor. And why? Under the present constitution His Excellency the Governor has the power to veto. They want a Second Chamber, a House of real Elders who will have that power of checking. The question is, as far as I know—I do not know much of history—that I find there is no country anywhere in the world where the King or his representative has not the power of vetoing. The mover says that he does not want a replica of the House of Lords but he does not tell us how his Second Chamber is going to be constituted. The only thing that I can gather is that the Bengal Legislative Council in the future will be constituted by the representatives of the Zemindars, of the capitalists and any body else."

Supporting Mr. J. N. Gupta congratulated the mover on the historical review which he introduced in his motion. From every point of view it would be a great gain, he said, for this province to have a Second Chamber. He was sure that they would find better men for the Upper House than in the Lower House. If they had only 30 or 40 men, that would be sufficient for the Second Chamber. They must have Second Chamber at least for some time.

Mr. Reid informed the House that Government Members and the Ministers would abstain from voting on the motion. He said that the view of the Government on this question had been expressed in various documents which had been published from time to time. The view expressed in one of these documents was that the Second Chamber would be a valuable part of the constitution.

Welcoming the motion Mr. Wordsworth asked why it was that men everywhere found the need of two Houses. And the answer that he had to give was that experience of men had put human mind in doubt as to the wisdom and often to the integrity of the Lower House. As a general proposition they might say that the Lower House might be swept away by the gust of passion but if the Upper House were constituted not exactly in the same way, it was very improbable that the two Chambers could be swept away by the gust of passion at the same time. But he did not suggest that they should try in Bengal a House of Lords. A House of Lords ought not to be imitated.

Opposing the motion Mr. Fazlul Haque said that Mr. S. M. Bose or his supporters might have been thinking that they could hoodwink the Muslim members of this Council by the specious arguments that had been brought forward in favour of the resolution but they would make the greatest possible mistake of their life if they thought like that. There was a class of people, he continued, who masqueraded under the name of nationalists but who were actually communal. In this resolution there was a veiled attack. At the present moment although the Mahommedans were 54 per cent in the population, they were only 27 per cent in this House. They were at the mercy of the Government and European members of the House for any measure the Muslims wanted to support. But is regards the new constitution under the Communal Award, there was no doubt that it would be a great improvement on the existing of the Muslims.

Proceeding Mr. Fazlul Haque said that the arguments that had been advanced by Mr. Bose failed to convince even a child of the utility of a Second Chamber. They were a small minority in the House but they were absolutely unanimous in opposing the resolution. The voting in this case would not reflect the views of the people of Bengal, particularly, so far as the Muslims were concerned. The result of voting therefore could not be a proper indication of the Moslem view on this matter.

Explaining why they wanted a Second Chamber, Mr. B. C. Chatterjee said, "The danger is this. We have got a majority of Mahomedans plus the representatives of the Depressed classes. These gentlemen cannot shake their communalism. As long as they remain communal, as long as they persist in demanding things for their own communities only, so long we want the Second Chamber."

Mr. Thompson, Rev. B. A. Nag, and Rai Bahadur K. C. Banerjee supported the motion.

Dr. N. C. Sen Gupta opposed it.

The motion was then put to vote and declared lost by 44 against 46 votes.

ADJOURNMENT MOTION

When the Bengal Council met on the 25th November, Mr. Shyama Prasad Mukherjee moved a resolution to adjourn the House to discuss the situation arising out of the alarming state of health of Sjts. J. M. Sen Gupta and Subhas Chandra Bose who are detained under the Regulation III of 1818. The President fixed the discussion to come up at 6 p.m. in the evening.

Mr. Shyama Prasad Mukherjee in moving the adjournment motion said, "I shall put my resolution entirely on humane consideration. The fact is that the state of health of these two gentlemen who command the affection and respect of a large section of their countrymen—no matter what their political views are—requires that something should be done either to set them at liberty or, if that is not possible, to make it feasible for them to go to some place of resort where they may be able to regain their former health. As regards Sj. Subhas Chandra Bose, the unanimous report which was presented by the doctors was to the effect that he had been suffering from the foul disease of tuberculosis and the doctors recommended that he should be transferred to some sanitarium for the purpose of recouping his health."

Concluding Mr. Mukherjee said: "Either these political prisoners might be released or, if that is not possible, they might be sent to some health station. So far as Sj. Subhas Chandra Bose is concerned, he might be sent to Switzerland where he would be able to recoup his health. As regards Sj. J. M. Sen Gupta, we find that Government allowed him to walk about this morning in the compound of Medical College, of course accompanied by the police guards. His case also has got to be taken into consideration. It is not my intention to attack the Government on this issue at all. I think, I have said enough which would make the Government accept the motion I have moved."

MR. ABUL KASEM

According whole hearted support to the motion, Mr. Abul Kasem said: "I only regret that an occasion has risen for such motion in this House. I understand that Government have not refused to consider the question but they are slow to come to a decision. This dilatory policy and hesitation on the part of the Government have forced Mr. Shyama Prosad Mukherjee to come to this House with this adjournment motion. I can only add that in the interest not only of these two gentlemen but in the interest of the Government itself that steps should be immediately taken."

Proceeding Mr. Kasem said that he could not understand how the Government could take upon them the responsibility of these two gentlemen who were in a dangerous state of health. He appealed to the Government to consider the question of their release and if that was not possible to consider the question of giving them every facility which they wanted in connection with their treatment and nursing.

MR FAZLUL HAQUE

Wholeheartedly supporting the motion, Mr. Fazlul Haque said that it seldom happened that the non-official Indian members combined in such a unanimous manner on any point. He felt absolutely certain that there could not be any single dissentient voice in this matter. If unanimous public opinion meant anything, then ample case had been made out for the consideration of the local Government as well as of the Government of India to consider the question regarding these two gentlemen who were at present in a dangerous state of health.

Supporting the adjournment motion, Mr. J. N. Basu said that these two gentlemen were kept under detention and Government should on no account deprive them of the facilities they required.

Kumar Sibsekhareswar Roy said that as the president of the meeting recently held at the Albert Hall he would point out to the Government that public feeling was very strong over the halting attitude of the Gov-

ernment with regard to the nature of medical treatment of these two eminent political prisoners, specially when their lives were in great danger. If the Government had any respect for public opinion, it should lose no time to take prompt and proper measures for the safety of these two valuable lives.

Mr. C. P. Hogg said that the state of health of these two prisoners caused anxiety not only to their friends but also to the Government. He assured the House that Government were aware of their condition. As regards Sj. Subhas Chandra Bose, there had been difference of opinion among his medical advisers and now it had been decided to form a medical board and the Government of India after considering the report would decide as to where he should be sent. With regard to Sj. J. M. Sen Gupta Mr. Hogg said that Government were taking every possible step.

Mr. Shantisekhareswar Ray said they expected that in response to public feeling the Government would welcome this motion as an opportunity to sanction the release of two of their most beloved leaders.

The motion was then put to vote and carried without division.

INTERPELLATIONS

NOVEMBER 21, 1932.

SENDING WOMEN POLITICAL PRISONERS TO ANDAMANS

Mr. Kishori Mohan Chaudhuri asked: Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether there is any proposal for sending from Bengal any female political prisoners to the Andamans penal settlement?

The Hon'ble Sir Provash Chandra Mitter: Not at present.

Mr. Chaudhuri: Is it a fact that the place was condemned by the Jail Commission as unfit and undesirable and the view was accepted by the authorities?

Sir P. C. Mitter: The Indian Jails Committee in 1919-20 recommended that deportation to the Andamans should cease, except in regard to specially dangerous prisoners and any others whose removal from Indian jails is considered by the Government to be in the public interest, and this was accepted by the Government.

PRISONERS SENT TO ANDAMANS

Mr. Shanti Shekhareswar Ray asked the following questions in the Bengal Council on Monday:—(a) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to lay on the table a statement showing for the years 1929, 1930, 1931 and 1932 the number of Bengali prisoners removed from Bengal to the Andamans?

(b) How many among those persons were convicted by Special Tribunals?

(c) How many female prisoners belonging to the "bhadralok" class have been removed to the Andamans from Bengal during the period?

The Hon'ble Sir Provash Chunder Mitter: (a), (b) and (c) A statement giving the information is given below:—

(a) Number of persons sent to Andamans from Bengal in 1929—4, 1930—37, 1931—64, 1932—52 (up to 14th November, 1932).

(Except 23 prisoners sent in 1932, all the prisoners volunteered to go there as colonists).

(b) Number of them convicted by Special Tribunals in 1929, 1930, 1931 —Nil, 1932—19.

(c) Number of "bhadralok" female prisoners sent in—1929 to 1932—Nil.

SWAN COMMITTEE REPORT

Mr. S. M. Bose: (a) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether the Report of the Swan Retrenchment Committee has been submitted? If so, when?

(b) What is the total approximate estimated savings recommended by the Committee?

(c) What steps have the Government taken or are they taking to give effect to the recommendations of the Committee?

The Hon'ble Mr. J. A. Woodhead: (a) The report as finally published was received by Government on the 10th November, 1932, and was distributed to members of this Council on the 15th November, 1932.

(b) The estimated savings are non-recurring Rs. 90,000 recurring Rs 1,80,37,700, with increase in revenue of Rs. 2,56,300 plus Rs. 1,12,000 for 5 years.

(c) The recommendations are being examined.

PROF. BEJOY K. BHATTACHARJEE

Dr. Amulya Ratan Ghose asked: (a) will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that Professor Bejoy Krishna Bhattacharjee, a Division II prisoner in the Dum Dum Special Jail, is suxering from sciatica ?

(b) If the answer to (a) is in the affirmative, will he be pleased to state the date since when he is suffering?

(c) Has he been put into hospital for treatment?

(d) If so, how long ago was this and with what result?

(e) Will the Hon'ble Member be pleased to state whether the Government—

(i) will be prepared to allow any qualified doctor interested in the health of the prisoner to see the prisoner; or

(ii) whether the Government will allow the questioner to go to the jail to see the prisoner without the restriction of interviewing through wire-nets?

The Hon'ble Sir Provash Chunder Mitter: (a) and (b) No, but the prisoner is suffering since February, 1932, from a vague neuralgic pain in the lumbro-sacral region of the back.

(c) Yes.

(d) Since 10th November, 1932. The treatment has not made any appreciable difference, but the affection is not of a serious nature, examination has not revealed any abnormality which requires special treatment. His general health is good.

(e) (i) It is not considered necessary to allow an outside doctor to see the prisoner.

(ii) Government are not prepared to relax the standing rules regarding interviews.

NOVEMBER 22, 1932.

MYMENSINGH DISTRICT BOARD

Maulvi Tamizuddin Khan asked: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(i) since when the right of electing its own Chairman has been taken away from the Mymensingh district board;

(ii) how long do the Government intend to continue the ban; and

(iii) whether there is any proposal under the consideration of the Government for the restoration of the right to the board?

The Hon'ble Mr. Bijoy Prasad Singh Roy: (i) 8th July, 1929.

(ii) No decision has yet been reached.

(iii) The matter is now under consideration.

CHITTAGONG-ARAKAN ROAD

Haji Badi Ahmed Chowdhury asked in the Bengal Council on Tuesday (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(i) how much money allotted for the Chittagong-Arakan Road as recommended by the Bengal Road Development Board will be spent this year and next year;

(ii) under whose disposal will the money be placed; and

(iii) whether the road will run parallel to the Arakan Railway line, viz., Patiya, Dohazari, Padua, Chunati, etc., or via Chandpur, Jaldi, Barabakia, etc?

(b) Are the Government considering the desirability of having the road through Chandpur, Jaldi, Barabakia, etc., as being the convenient and shortest route?

The Hon'ble Mr. Bijoy Prasad Singh Roy; (a) (i) It is impossible to give this information till the detailed estimate has come in.

(ii) The money will be placed at the disposal of the District Board.

(iii) The proposal is for bridges to be constructed on the former of the two roads mentioned.

(b) No.

NOVEMBER 25, 1932.

JAIL POLITICAL VISITORS

Babu Suklal Nag asked: (a) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state—

(i) the names of the visitors of the three jails at Dum Dum; and

(ii) the dates on which they visited their respective jails during January to July, 1932?

(b) Is any member of the Bengal Legislative Council a visitor of the said jails?

(c) If the answer to (b) is in the negative, are the Government considering the advisability of appointing some members of the Bengal Legislative Council as visitors of the said three jails?

The Hon'ble Sir Provash Chunder Mitter: (a) (i) Up to 17th July, 1932, the following gentlemen were visitors of jails at Dum Dum:—

I. Dum Dum Special Jail (1) Raja Bhupendra Narayan Sinha Bahadur, M.L.C., (2) Babu Manujendra Nath Datta, (3) Babu Narayan Das Kar.

II. Dum Dum Additional Special Jail—(1) Babu Annada Prasad Mitra, and (2) Babu Narendra Nath Sen.

III. Dum Dum Second Additional Special Jail (opened in April, 1932) —None.

From 18th July, the following gentlemen are visitors of the three Special Jails at Dum Dum:—

(1) Babu Prafulla Kumar Guha, M.L.C.,
(2) Maulvi Mahammad Saadatullah, M.L.C.,
(3) Babu Panchu Gopal Chakravorty,
(4) Babu Sailaja Lal Chatarji,
(5) Mr. A. E. Lockhart.

From 9th November, 1932, the following gentlemen are visitors for Division I prisoners:—

(1) Babu Prafulla Kumar Guha, M.L.C.,
(2) Dr. Provat Chandra Sen, M.B., M.R.A.S.,
(ii) No visits were paid.
(b) Yes.
(c) Does not arise.

NOVEMBER 28, 1932.

OFFENCES AGAINST WOMEN

Mr. S. M. Bose asked: (a) Will the Hon'ble Member in charge of the Judicial Department be pleased to state in how many convictions for rape during 1931-32 has a sentence of whipping been imposed?

(b) Have the Government come to a decision that the punishment by whipping has a salutary effect in offences against women?

(c) Has any circular been issued calling the attention of Magistrates to the provisions of the Whipping Act, 1909. If so, when?

(d) If the answer to (c) is in the negative, will the Hon'ble Member be pleased to state whether the Government are considering the desirability of issuing such a circular, having regard to the prevalence of offences against women?

The Hon'ble Mr. W. D. R. Prentice: (a) Five in 1931; no figures are available for 1932.

(b) The present Government have not had occasion to consider the general question.

(c) No. Save in the case of juvenile offenders, the only offence against women punishable with whipping is rape, which is exclusively triable by a Court of Session.

(d) Does not arise.

Maulvi Tamizuddin Khan asked: (a) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether the practice of publishing rent execution sales in local vernacular newspapers has been discontinued?

(b) If so, what is the reason for such discontinuation?

(c) Before passing orders of discontinuation, did the Government consider that such abolition of the practice was likely to encourage collusion and fraudulent sales?

The Hon'ble Mr. W. D. R. Prentice: (a) Yes.

(b) The member is referred to section 163 (3) of the Bengal Tenancy Act. Government do not consider it advisable to prescribe publication in newspapers.

(c) The discontinuance was not due to a Government order but to legislation.

MATHABHANGA-NABAGANGA SCHEME

Maulvi Syed Majid Baksh asked: Will the Hon'ble Member in charge of the Irrigation Department be pleased to state—

(i) the estimated cost of excavating the canal joining the Mathabhanga and the Nabaganga at Chuadanga;

(ii) the time that will be required for completing the work;

(iii) the departments that have contributed to the expenditure and

(iv) the amount contributed by each of such departments?

The Hon'ble Alhadj Sir Abdelkerim Ghuznavi: (i) The cost was estimated by the district boards concerned at about Rs. 14,000, excluding cost of land.

(ii) As far as Government are aware, the work can be executed in about three months.

(iii) and (iv) The Irrigation Department will contribute Rs. 5,000 if the work is completed to the satisfaction of the Chief Engineer.

BENGAL MUNICIPAL BILL

Rai Satish Chandra Mukherjee Bahadur asked: (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the assent of the Governor-General to the Bengal Municipal Bill passed at the last session of this Council has been received?

(b) Is it contemplated by Government to order wholesale election in all the municipalities in Bengal on the enforcement of the Act?

The Hon'ble Mr. Bijoy Prasad Singh Roy: (a) No. (b) Yes. The following is the text of the circular issued on this subject by the Secretary to the Government of Bengal, Self-Government Department on November 11, 1932:—

"The Bengal Municipal Bill, 1932, as finally passed by the Legislative Council has introduced material changes, e.g., the franchise of the electors has been widened, women have been enfranchised, the proportion of elected commissioners has been increased and the term of office of the commissioners has been extended from three to four years. The new Act will be published in the CALCUTTA GAZETTE and brought into force as soon as the assent of the Governor-General has been communicated to this Government: this communication, it is hoped, will be received before the end of November 1932.

Meanwhile I am directed to forward in advance, a copy of the Bengal Municipal Act, 1932, and with reference to Chapter III relating to the constitution of municipalities, to communicate the following observations of Government:—

The Minister for Local Self-Government desires that in their own interests all municipalities should be reconstituted on a more democratic basis under the provisions of the new Act as soon as possible. In order to enable this to be done, it is proposed to hold general elections under the new Act on the earlist possible date after it is brought into operation. It is hoped that the election may be held in March 1933, and that the reconstitution of the municipalities may be completed before the end of May and afterwards to dissolve all existing bodies of municipal commissioners under section 24 of the Act. It is proposed to publish the necessary instructions for holding the first election in the issue of the CALCUTTA GAZETTE in which the new Act will be published for general information.

As will appear from section 16 'et seq' of the Act, the introduction of a new constitution in the municipalities in accordance with the provisions of the new Act calls for the determination of several questions, e.g., (i) the declaration of communities as minority communities, the reservation of seats for them, and the distribution of such seats among the different wards; (ii) the special representation of industries and of labour where necessary; and (iii) the division of municipalities into wards where they are none at present. As the time between now and the 31st March 1933, is short, Government consider it desirable that the 'status quo' in regard to the number of municipal commissioners and the existing boundaries of municipalities and of wards should be preserved as far as possible. No steps therefore should be taken now to divide into wards municipalities which are not already so divided. As regards the representation of industries and of labour, I am to observe that any attempt to form industrial constituencies as contemplated in section 18 of the Act is bound to delay the preparation of electoral rolls.

Government are therefore of opinion that for the present such representation should be secured by increasing the number of appointed commissioners in the manner laid down in section 18(1) (i) of the Act. I am therefore to request that proposals for the representation of industries and of labour in such municipalities as come under the scope of section 18 of the Act, as well as for the representation of minority communities, may be submitted to Government by the 15th December, 1932, at the latest: the figures on which proposals as regards minorities are based should be furnished in each instance. To avoid delay a copy of this letter together with a copy of the new Act is being forwarded to the District Officers direct, with the request that proposals under these heads as well as for the introduction of the elective system in those municipalities which are now included in Schedule I of the old Act may be submitted to you by the 30th November, 1932, in time for them to be forwarded to Government with your recommendations by the date prescribed.

Chairman of municipalities are also being asked to take immediate steps in advance for the preparation of electoral rolls on the basis of the extended franchise under the new Act."

SALT REVENUE

Replying to Mr. S. M. Bose, the Finance Member, stated that Rs. 536,000 was received from the additional import duty on foreign salt during 1931-32 and Rs. 359,100 was received during the first half of the current financial year.

HOUSE SEARCHES AT CHITTAGONG

Khan Bahadur Abdul Momin asked a short notice question for information whether the houses of 150 Mussalmans of Chittagong Town including the Municipal Chairman's were searched on November 16, during the course of which, Muhammadan ladies were 'rudely treated and men assaulted.'

Replying on behalf of the Government, the Home Member while admitting the incident stated, of the 200 houses searched within the area approximately fifty only belonged to Mohammedans. Government were satisfied that none were intentionally subjected to insult or rude treatment.

TROOPS AT DACCA

Rai Bahadur Keshab Chandra Banerjee asked: Will the Hon'ble Member in charge of the Political Department be pleased to state—

(i) the estimated cost of the construction of quarters and other expenses in connection with the Dorsetshire Regiment which has recently been stationed at Dacca:

(ii) the period for which the British troops have been quartered at Dacca;

(iii) the total strength of the force; and

(iv) whether the cost would be borne by the Government of India or the Government of Bengal?

The Hon'ble Mr. W. D. R. Prentice: (i) the information is not yet available.

(ii) The troops will remain at Dacca as long as circumstances require.

(iii) One infantry battalion.

(iv) The charge will in the main proceed against the central army budget but some expenditure, the exact amount of which is not yet possible to estimate, will fall on provincial revenues.

DUM DUM AND HIJLI JAILS

Babu Suk Lal Nag asked: (a) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether the Special Jails at Dum Dum and at Hijli satisfy the conditions laid down in rule 1134 of Chapter XXXVIII of the Jail Code—

(i) as regards the superficial area allowed for each prisoner;

(ii) as regards provision for wooden shutters for windows;

(iii) as regards verandahs; and

(iv) as regards ventilation?

(b) Do the hospitals satisfy the conditions laid down in rule 1135 of the Jail Code?

(c) What was the maximum number of prisoners in each block of wards 5, 11, 15 and 32 of the Special Jail at Dum Dum in June, 1932, and what were the respective superficial areas of those blocks?

(d) Did any prisoner apply for hand-fans? If so, with what result?

(e) Will the Hon'ble Member be pleased to state whether there is any defect in the matter of ventilation?

(f) If the answer to (e) is in the affirmative, are the Government considering the desirability of permitting the use of hand-fans by the prisoners?

(g) Is the use of hand-fans prohibited by the Jail Code? If so, under what rule therein?

(h) Is it in the contemplation of Government to pass general orders permitting the use of hand-fans by the prisoners during the hot season?

(i) Is it a fact that the provisions of rule 1147 of the Jail Code are not followed in the Dum Dum Special Jail?

The Hon'ble Sir Provash Chunder Mitter: (a) Jail Code Rule 1134 refers mainly to jail buildings when newly constructed and does not apply to temporary jails.

(i) Superficial area per prisoner is in accordance with scale.

(ii) and (iii) Do not apply.

(iv) Ventilation is sufficient.

(b) Yes.

(c) Wards 5—Maximum number of prisoners—116; superficial area—10,059 square feet.

Ward 11—Maximum number of prisoners—168; Superficial area—26,458 square feet.

Ward 15—Maximum number of prisoners—208; Superficial area—17,036 square feet.

Ward 32—Maximum number of prisoners—388; Superficial area—23,392 square feet.

(d) Yes. The application was refused. Further, on inquiry it was ascertained that hand-fans are not allowed in some of the other provinces which are much hotter in summer than Bengal. This inquiry was made last summer to deal with a suggestion made by an M.L.C. about supply of hand-fans to prisoners.

(e) No.

(f) Does not arise.

(g) There is no provision in the Jail Code for the use of hand-fans by prisoners.

(h) and (i) No.

DECEMBER 7, 1932.

LADIES DETAINED WITHOUT TRIAL

Rai Bahadur Satyendra Kumar Das asked: Will the Hon'ble Member in charge of the Political Department be pleased to state—

(i) how many laides are being detained now under the Bengal Criminal Law Amendment Act or the Emergency Regulations in each district in Bengal;

(ii) the allowances paid to each lady so detained;

(iii) the arrangements made for the medical supervision of the lady 'detenues' by lady doctors;

(iv) whether any lady detained under the Bengal Criminal Law Amendment Act or the Emergency Regulations has been transferred to any place outside Bengal;

(v) whether any lady detained under the Bengal Criminal Law Amendment Act or the Emergency Regulations, is segregated in cells; and

(vi) whether two or three or more laides so detained are kept together?

The Hon'ble Mr. W. D. R. Prentice: (i) (a) Under the Bengal Criminal Law Amendment Act—13.

(b) Under the Emergency Regulations—1

(ii) Government are not prepared to give this information

(iii) None.

(iv) (a) One.

(b) None.

(v) No.

(vi) Yes.

TERRORIST CRIMES

Rai Bahadur Keshab Chandra Banerji asked: Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing separately for each district the number of anarchist crimes committed in Bengal between November, 1931, and October, 1932?

The Hon'ble Mr. W. D. R. Prentice. A statement of terrorist crimes is as follows:—

Bakarganj 7; Bankura 2; Birbhum 1; Bogra 2; Burdwan 2; Chittagong 4; Dacca 28; Darjeeling Nil; Dinajpur 3; Faridpur 17; Hooghly 5; Howrah 3; Jalpaiguri 1; Jessore 3; Khulna 1; Malda Nil; Midnapore 2; Murshidabad 4; Mymensingh 22; Nadia Nil; Noakhali Nil; Pabna Nil; Rajshahi 4; Rangpur 8; Tippera 12; 24-Parganas 3; Sealdah G.R.P. 1; Calcutta 11; Total 146.

READING FACILITIES IN JAILS

Mr. Munindra Deb Rai Mahasai asked: (a) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether reading facilities are given to (i) ordinary, (ii) political convicts in the differend jails in the province?

(b) Will the Hon'ble Member be pleased to lay on the table a statement showing the particulars of libraries maintained in different jails?

(c) Will the Hon'ble Member be pleased to state (i) whether any arrangement has been made to procure books from the Imperial Library, Calcutta, for the 'detenus' and other convicts; and (ii) whether books are procured from the nearest public library as may be required for the prisoners?

(d) If the answer to (c) is in the negative, are the Government considering the desirability of considering the feasibility of the proposal?

The Hon'ble Sir Provash Chunder Mitter: (a) Yes. Jail Code rules 662 and 24 of Chapter XXXIV are followed. The Jail Department has no such classification of prisoners as "Political convicts."

(b) In all Central Jails there are libraries. In some District Jails a small stock of books is kept for prisoners, while in others there are no regular libraries but when required books are allowed to prisoners from outside.

(c) (i) Yes. Books are obtained from the Imperial Library for 'detenus' and in some cases for Division I and II prisoners.

(ii) Yes. In most of the jails this is done when necessary.

(d) Does not arise.

GURKHAS AT COMILLA

Dr. Amulya Ratan Ghose asked (a) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact:—

(i) that at Comilla on the night of the 9th October, 1932, about a dozen Gukhas belonging to the 1/9th Gurkha Battalion trespassed into the house of a municipal officer who lives close to the barracks; (ii) that these Gurkhas left the house, on a bugle call from their Havildar; and (iii) that the matter was reported to the officer-in-charge of the battalion by Mr. Paul Delanney?

(b) Is it a fact that a few days later another incident of a somewhat similar nature took place in the Chowdhuripara quarters of the same district when about a dozen Gurkhas intruded into a house in the night but fled away in the darkness of the night after an alarm was raised by the local people?

(c) Is the Hon'ble Member aware that the people there have become panicky at the advent of the Gurkha Battalion particularly after the incidents referred to?

(d) If the answers to (a) and (b) are in the affirmative, are the Government considering the desirability of enquiring into the matter and of taking steps for the prevention of similar recurrences?

(e) Are the Government considering also the desirability of removing the panic from the minds of the peaceful inhabitants by shifting the quarters of the military to a distance from its present site?

The Hon'ble Mr. W. D. R. Prentice: (a) (i), (ii), (iii) and (b) No. Allegations to this effect have appeared in the press but are without foundation, and a complete withdrawal accompanied by an expression of regret was published a few days ago.

(c) No.

(d) Does not arise.

(e) No.

TRAINED TEACHERS

Mr. S. M. Bose asked: (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that with the passing of the Bengal (Burma) Primary Education Act, 1930, a necessity has arisen for having in the province an adequate outturn of trained school teachers?

(b) If so, what arrangements, if any, have been made to increase the supply of trained women teachers?

(c) Is a scheme for the establshment of new training schools for women contemplated?

(d) Will the Hon'ble Minister be pleased to state whether it is in contemplation of Government to help the existing training schools for women by larger grants and more stipends to enable them to take in more pupils for training?

The Hon'ble Mr. Khwaja Nazimuddin: (a) Yes.

(b) No arrangements have been possible owing to the financial stringency, but when conditions improve this problem will receive early attention.

(c) Not until conditions improve.

(d) A proposal has been made for the provision of additional stipends for the aided training schools, but it has been held in abeyance owing to

the want of funds; for the same reason it is not possible to contemplate increased grants for those schools at present.

QUARTERS FOR DACCA TROOPS

Dr. Amulya Ratan Ghose: (a) Is the Hon'ble Member in charge of the Political Department aware (i) that the presence of the Dorsetshire Regiment in the town of Dacca is the cause of much annoyance to the people of the town; (ii) that the soldiers of the said regiment come to the city and play pranks with the people as for instance:

(1) blocking the passage for wheeled traffic in spite of repeated alarm, as was done to Sj. Surendra Banerji while he was going with his family in a gharry to the railway station, (2) pulling down cyclists from bicycles as was done on Mr. Rajendra Lal Dey, lecturer of the Dacca University, (3) lifting of stones in the Commissioner's office compound and throwing them on pedestrians with umbrellas on, (4) taking away things from shops without paying any price (5) assaluting innocent persons like Sj. Kalipada Banerjee, a second year B.A. student of the Dacca University?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Member be pleased to state (i) what steps, if any, the Government have taken to punish those soldiers; and (ii) what steps, if any, do they propose taking to prevent a recurrence?

(c) Are the Government considering the desirability of shifting the quarters of the soldiers at some distance from the Dhakeswari temple?

The Hon'ble Mr. W. D. R. Prentice: (a) (i) and (ii) No. When the regiment first arrived, there was occasional friction as the local inhabitants were unaccustomed to troops and the latter were strangers to Bengal. But suitable orders have been issued by the military authorities and the initial misapprehensions have now been removed.

(b) (i) and (ii) Do not arise

(c) No.

FARIDPUR DETENUS

Rai Sahib Akshoy Kumar Sen: Will the Hon'ble Member in charge of the Political Depatment be pleased to lay on the table a statement showing, for the years 1930 and 1931 and 1932—

(i) the names, with age and places of detention, of the detenus who are residents of the Fairdpur district; and

(ii) whether any allowance is being paid by the Government for the maintenance of the family of any of these detenus?

If so, what amount?

The Hon'ble Mr. W. D. R. Prentice: (i) The totals for the years are as follows:—

1930—46; 1931—68; 1932—153.

Government are not prepared to publish the details.

(ii) Family allowances are given in all cases where an allowance is necessary. Government are not prepared to publish the details.

PUBLICITY BOARD

Kumar Munindra Deb Rai Mahasai: Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing:—

(i) the names of the present members of the Publicity Board;
(ii) the amount of remuneration or allowance given to each of them;
(iii) the names of the present writers of publicity pamphlets;
(iv) the amount, if any, paid to them as remuneration or allowance;
(v) the amount realised from the sale of the pamphlets; and
(vi) the number of pamphlets distributed during the current year?

The Hon'ble Mr. W. D. R. Prentice: (i), (iii) (iv) Government are not prepared to give information on these points.

(ii) No remuneration or allowance is given to any member of the Publicity Board.

(v) Rs. 276-4-0; (vi) Rs. 24,00,000.

DECEMBER 14, 1932.

CALCUTTA PORT TRUST

Mr. P. Banerji asked: (a) Will the Hon ble Member in charge of the Marine Department be pleased to state—

(i) what is the total number of officers in the Calcutta Port Trust of all grades, other than meanials;

(ii) how many of them are Europeans, how many Anglo-Indians and how many Indians;

(iii) of the Indians how many of them are Hindus, how many Muhammadans and to what provinces do they belong; and

(iv) what percentage of the total amount spent on the salaries of these officers goes to Europeans, Anglo-Indians and Indians respectively?

(b) Is it a fact that almost 50 per cent of the Indians who were recruited in the past directly for being trained as officers have been dismissed or discharged?

(c) Is it not a fact that most of these young Indians were thrown out after undergoing training for considerably long periods only to find themselves unfit for employment under Government or quasi-Government bodies because of the age-limit?

(d) What were the reasons which led to their discharge or discharge in each case?

(e) Is the Hon'ble Member aware that every one of these young Indian officers who were dismissed from the Traffic Department of the Calcutta Port Trust was at least a first class Honours graduate?

(f) Of the Indian officers in the Calcutta Port Trust, excluding those promoted from the subordinate and ministerial ranks, how many have, during the last fifteen years, been recruited direct and trained for the purpose?

(g) Of these direct recruits—

(i) how many have been confirmed in the jobs after serving the stipulated periods of probation;

(ii) how many of them are still on probation;

(iii) how many voluntarily left the services; and

(iv) how many were dismissed?

The Hon'ble Mr. J. A. Woodhead: (a) (i) to (iv) The Port Commissioners have reported that it is not possible to compile the information required at short notice, and the Local Government do not consider that the labour and expense entailed in the enquiry would be justified.

(b) The numbers are:—

30 were appointed, 3 resigned, and 11 were discharged.

(c) The periods of service of the 11 referred to in (b) were as follows:—

2 years 9 months; 1 year 6 months; 4 years 1 month; 2 years 7 months.

The other seven men whose period of service is given immediately below joined the King George's Dock staff either as student engineers or probationary assistant engineers. They all eventually rose to be assistant engineers.

8 years 4 months; 3 years 7 months; 7 years 1 month; 4 years 10 months; 2 years 8 months; 8 years 5 months; 8 years 11 months.

(d) Three were discharged because they proved unsuitable for confirmation in the service; three were discharged at the completion of King George's Dock; three were given temporary employment on other capital works after the completion of the King George's Dock and were discharged on the completion of those capital works: and two were absorbed into maintenance staff after completion of King George's Dock but were subsequently discharged under retrenchment schemes.

(e) Yes.

(f) and (g) Thirty, of which number 11 were discharged and three resigned. Sixteen are still in the Commissioners' service, and of these 16, nine have been confirmed and seven are still on probation.

Mr. P. Banerji: (a) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether it is a fact that an Indian assistant accountant, the only Indian official who had been on the superior establishment of the Calcutta Port Trust, recently left the services as his pay was reduced almost by half for economy ?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Member be pleased to state whether there is any parallel instance where the salary of a European or an Anglo-Indian official has been reduced by a proportionately equal extent ?

(c) If there is no parallel instance, what are the reasons for the differential treatment?

(d) Is it not a fact that for the purpose of retrenchment the Calcutta Port Trust has introduced reduced scales of salaries for the new entrants and for those getting confirmed in services in the junior and upper subordinate ranks?

(e) Have the scales of salaries for the posts on the superior establishment, i.e., posts with starting salaries of Rs. 600 and above, been revised and proportionately reduced?

(f) If the answer to (e) is in the negative, what are the reasons?

The Hon'ble Mr. J. A. Woodhead: (a) No.

(b) and (c) Do not arise.

(d) The salary scales of new entrants are still under the consideration of the Commissioners.

(e) and (f) Do not arise.

OFFICIATING ARRANGEMENTS

Mr. P. Banerjee: (a) Will the Hon'ble Member in charge of the Marine Department be pleased to state what is the present total number of officiating arrangements in the posts in the Calcutta Port Trust carrying starting salaries of Rs. 600 or above?

(b) Is it not a fact that in the Calcutta Port Trust, when a person officiates in the higher rank because of the permanent incumbent being on leave, the former proceeds on leave before the expiry of his officiating period and he is allowed to enjoy all the benefits of drawing a higher salary in his officiating capacity, though the permanent hand may resume his duties from the date or a few days immediately after the officiating incumbent goes on leave ?

(c) Is it not a fact that persons officiating in the higher ranks try to avail themselves of long leave before the expiry of their officiating periods?

(d) If so, what are the reason?

The Hon'ble Mr. J. A. Woodhead: (a) Twenty-two.

(b) The Commissioners have adopted the Fundamental Rules, and all leave is granted according to the provisions of those rules.

(c) No.
(d) Does not arise.

Mr. P. Banerjee: (a) Will the Hon'ble Member in charge of the Marine Department be pleased to state—

(i) what was the total number of engineers on the King George's Dock construction staff immediately before that work was suspended;

(ii) out of these engineers what was the strength of Europeans, Anglo-Indians and Indians respectively.

(iii) after the suspension of the King George's Dock construction, how many engineers were retained in the services and how many were discharged;

(iv) out of the discharged, what was the number of Europeans, Anglo-Indians and Indians respectively;

(v) how many of these discharged engineers were subsequently recalled for appointment; and

(vi) of these how many were Europeans, Anglo-Indians and Indians respectively?

(b) Is it a fact that it is policy of the Calcutta Port Trust generally to purchase its stores in foreign markets in preference to the products of indigenous industries?

(c) Is it a fact that the Indian element in the body of the Commissioners for the Port of Calcutta is in a great minority?

(d) Do the Local Government propose to urge upon the Government of India the desirability of the Indianisation of the Port Trust services?

(e) Are the Government also considering the desirability of urging upon the Government of India the desirability of revising Bengal Act No. III of 1890, i.e., the Calcutta Port Act, to ensure stronger representation of the Indians on the body of the Commissioners?

The Hon'ble Mr. J. A. Woodhead: (a) (i) Twenty, including probationers and student engineers.

(ii) Europeans 8, Anglo-Indians 1, Indians 11.

(iii) Two European executive engineers were retained after the completion of the work to fill vacancies in the permanent establishment caused by the retirement of one senior engineer on account of age and the death of another senior engineer.

The Anglo-Indian engineer was discharged.

Of the 11 Indian engineers 2 left the service of their own accord; 3 were discharged on the completion of King George's Dock; 2 were temporarily appointed against permanent maintenance posts which were later abolished under retrenchment schemes; 3 were given temporary appointments on other construction work upon the completion of which their services were terminated; and one engineer is still in the service. The totals were: retained 3, discharged 15, resigned 2.

(iv) The engineers discharged were: Europeans 6, Anglo-Indian 1, Indians 8.

(v) None.

(vi) Does not arise.

(b) No.

(c) There are 19 Commissioners of whom 4 at present are Indians. (d) No. The Government of India, in 1922, accepted a resolution in the Council of State recommending that steps be taken to increase the number of Indians in the higher grades of the Port Trusts. They have also recently

accepted a resolution moved in the Council of State recommending the adoption of effective measures to secure a substantial improvement in the matter of the Port Trust to an appreciable extent.

(e) No, as this question was fully considered in 1925-26 when the Calcutta Port (Amendment No. II) Act, 1926 (Ben. Act VI of 1926), was passed by this Council.

DECEMBER 15, 1932

To the question of Mr. Ananda Mohan Poddar, the Hon'ble Mr. W. D. R. Prentice answered that 7 regiments have recently been posted in Dacca, Saidpur, Mymensingh, Chittagong, Bankura, Comilla and Midnapore. The number of Troops in each of these regiments was as 749, 679, 603, 621, 668, 676 and 601. The information was not available as to the estimate initial expenditure for the erection of barracks and sheds for each regiment in each district. As regards the cost, the major portion would be borne by the Government of India and certain extra charges by the local Government.

Further, Government are not aware that there had been disorderly conduct and assaults by the troops as alleged. There were at first instances of occasional friction between the public and the troops, but suitable orders had been issued, and the friction had since ceased.

To other questions as to why no family allowance for detenu Chiranjilal Shroff was given during the period from 29th April, 1930 up to date whether he was the only earning member of the family, and that the members of his community at a meeting at Tarasundari Park in Calcutta in April, 1931, declared that his family was suffering for his detention and Government's apathy to his family for making provision and that a petition signed by 45 merchant firms of the Marwari community was sent to the Government contradicting the police report that he was not the only earning member for the information of the Government and also to the reasons for not taking any action on the petition for family allowance and not paying him personal allowance, Mr. Prentice replied that Government are not prepared to supply any information.

Mr. J. L. Banerjee raised a point of order as to whether the members of the Council were not entitled to ask for a reason in the event of a reply being withheld, although no information had been supplied.

The Hon'ble the President asked Mr. Prentice whether it was the fact that the question could not be answered in the public interest for the satisfaction of the member of the Council. The Hon'ble President impressed on him the necessity that something had to be told by Government as to the reasons of refusing certain answers i.e. whether they were withheld in public interest or in the interest of administration. The Hon. Mr. Prentice said that Government did not give an answer unless they considered it to be in the interest of administration.

BOMBAY LEGISLATIVE COUNCIL

THREE SESSIONS EVERY YEAR

WHEN the Bombay Legislative Council met on October 1, Mr. G. S. Gangoli from Kanara District moved his motion for an address to His Excellency the Governor that His Excellency would be pleased to hold at least three sessions of the Legislative Council during every calendar year. Mr. Gangoli said that the Council was only a forum wherein all popular representatives could ventilate their grievances. There was no instance of a representative body holding only two sessions All nation-building departments were starved on grounds of economy and Government were also starving the only forum available for representating the popular grievances.

Sir Gulam Hussein Hidyatulla styled the motion as premature. He said that the mover had made out no case for an address. He did not agree with the mover that the nation-building departments were being starved. He further explained the difficulty the Hon'ble members would be put to next year, if the third session was held, since after July, members would be in the thick of election fight. He promised to convey the wishes and desires of the House to His Excellency and appealed for its withdrawal.

Diwan Bahadur Patel wanted an assurance from the leader of the House that a fresh election would be held after July next year in which case the speaker advised the mover to withdraw the motion.

Mr. P. N. Vakil supporting the motion reminded the House that Sir Ghulam Hussein had himself stated on a previous occasion that in the interest of economy Government would have to curtail a third session.

Mr. L. R. Gokhale wanted four sessions every year and as for economy he said that members were prepared to make a sacrifice.

Rao Bahadur Kale moved an amendment suggesting that there should be normally at least three sessions every year at reasonable times.

Mr. W. L. Hudson opposing the motion stated that his sole objection was on economical grounds. He gave figures of expenditure for the last session and said that money was not well spent.

Sir Raffiuddin Ahmed supported the motion. He said that four sessions were absolutely necessary amongst other things to check the actions of the Executive.

Mr. Solanki moved an amendment that instead of three there should be four sessions.

The amendment was however lost. Mr. Kale's amendment was then put to vote and carried.

The Council then passed the original motion as amended.

ADJOURNMENT MOTION

The Home Member speaking in the Council on Mr. Surve's adjournment motion regarding restrictions on Mr. Gandhi, said:

"I have no desire whatever to make any attempt to curtail this discussion, but I think perhaps it will help to clear the matter if I say at once that the Government must oppose this motion for adjournment. As regards Mr. Gandhi's health, the House will be glad to hear that Mr. Gandhi's health is progressing as satisfactorily as it could possibly be expected to. As regards the other points brought forward, I make the following statement with the authority of the Government of India:

The normal restrictions on Mr. Gandhi, as a State prisoner, were relaxed, as stated in the Assembly on 19th September, in order that he should be accorded full facilities for discussing the problem of the Depressed Classes and endeavouring to effect an agreement with them. This object has now been attained. An agreement has been made and the provisions in it relating to the Communal Award have been accepted by His Majesty's Government. The purpose for which the facilities were granted has now been served. It is obvious that Mr. Gandhi, as a State prisoner, cannot continue to receive these very exceptional facilities. Special applications for interviews will be considered by the Government of Bombay in consultation with the Government of India on their merits."

The Home Member further in that course of the debate pointed out that Mrs. Gandhi would be allowed to attend upon Mr. Gandhi as long as her presence was necessary.

After the mover and several speakers had spoken for and against the motion, two or three attempts were made to have closure applied without success.

After two hours' debate the adjournment motion was talked out.

EXTENSION OF IRRIGATION ACT

Mr. Hudson asked for leave to extend Part XI of the Bombay Irrigation Act to lands irrigable by the Fuleil, Kalri and Narichach Canal systems which are being improved and remodelled for the more efficient distribution of water therefrom.

The Home Member said that the improvements to these canals were nearing completion and to enable the Government to put the finishing touches to the same, application of Part XI of the Bombay Irrigation Act was required The Government he said, had lost several lakhs in remissions and the zemindars of these tracts had lost tens of lakhs owing to certain defects, such as, width of canals and excess number of outlets These had led to unnecessary waste of water Efforts were being made to combine the outlets the total number of which it was intended to reduce, thus saving money, and bringing about a more equitable distribution

The motion was strongly opposed

Syed Miran Mahomed Shah (Hyderabad) thought that the extension of the Act was premature. He advised the Government to withdraw the motion and wait for one year. In the meantime, an agricultural officer should be deputed to make experiments with certain crops. He warned the Government of the difficulties in the way of bringing about a perfect system of rotation and distribution.

Sir C. Harrison, Superintending Engineer, Lloyd Barrage, Karachi, in a general review, dealt with the objections of the Zemindars' representatives. He said that the Government would be involved in extra expenditure if the scheme were delayed. He reminded the House that Rao Bahadur Chitale had said that all the schemes taken in hand at the cost of the tax-payer should fructify at the earliest time possible Certain experiments made on Khan Bahadur Khurro's lands had shown the utility of such works. The speaker averred that the results achieved so far on the barrage lands justified any optimism they might feel.

The Home Member replied to the debate on the motion in regard to the application of Part XI of the Bombay Irrigation Act, 1879, to the Fuleil, Kalri and Narichach Canal systems. The motion was put to the House and declared carried. A division was demanded and it showed that forty-two members were in favour of the motion and 16 against.

AMENDMENT TO STANDING ORDERS

The House proceeded to discuss motions to amend the Standing Orders. An important one was moved by Mr. J. B. Petit and was as follows:—In Standing Order V (General Rules of Procedure), in sub-clause 11 relating to taking votes by division, the words "voting on all divisions shall be by ballot" be substituted.

Sir G. H. Hidayatullah, Leader of the House, opposing the motion, said that it was against the practice obtaining in any Legislature in India and in the House of Commons, and besides, the constituency would not know how a particular member was voting.

As only three members stood in favour of the motion, it was rejected.

VILLAGE PANCHAYATS BILL

Sir Rustom Vakil moved the first reading of the Bill to amend and consolidate the law relating to village panchayats.

The Minister for Local Self-Government said that, by passing the Bill, the House would be reviving and re-invogorating the panchayat, an institution of time-honoured antiquity and glorious tradition, which existed now only in name. The ideals of the Bill were to bring home to the villagers the idea of local self-government, and develop the spirit of self help and the art of administration and also create an instrument that would deal with municipal affairs, rural uplift and medical relief.

Referring to the salient features of the Bill and its financial aspect, the Minister said that the Bill passed last year amending the Village Sanitation Act and widening the scope of the sanitary boards and committees was sought to be rounded off by the present measure. It defined that each panchayat would consist of five persons elected by the village under a sarpanch, in whom the executive powers of the panchayat would be vested. In 1931, there were 256 panchayats in the Presidency, 129 in the Central Division, 55 in the Northern Division, 72 in the Southern Division and none in Sind, with a total income of Rs. 3,34,000. Of this, two lakhs were derived from local taxation and Rs. 37,000 from contributions from the local boards. The members of the panchayat would be elected and they would have the control of fairs, bazaars, slaughter-houses and supervision of dharmasalas, in addition to the power to hold and sell movable and immovable property. They were vested with civil and criminal powers, with a safeguarding clause that the Collector would have the power to cancel the jurisdiction of a panchayat and quash any proceedings or cancel any decree or order. Though it was not possible at present to make any grant, he could assure the House that as soon as their financial position improved, the Government would consider the claims of the panchayats. The Government had increased the sources of revenue open to the panchayats by allowing the levy of a tax on pilgrims, and there were contributions from the Local Boards to the extent of two-thirds of the house-tax, with a limit of Rs. 500, or two-thirds of the local cess leviable in the panchayat area.

Dr. Ambedkar opposed the motion, and said that he considered that a system of Government which was discredited should not undertake the Bill, when the framing of the new constitution was on the anvil. Besides, the time given for the consideration of the Bill was too short, and there had been no demand for it from any political party. He objected to the panchayet being vested with civil and criminal powers.

An effort was made to cut down the number of amendments, about 300 having been tabled. About half a dozen were debarred from consideration except at the first reading. on the ground that they involved questions of principle, and would require the sanction of the Governor-General.

Sardar Modi pointed out certain defects. In some cases, there was dual control, and in others there was only the Collector. There was no adult franchise. He thought that the District Local Boards' contributions were not enough to finance the panchayats

Sir Shah Nawaz Khan Bhutto and Sir M. Raffuddin Ahmed urged that safeguards for Mahomedans should be incorporated in the Bill.

Mr. J. B. Petit thought that the Bill was a beneficial and epoch-making measure.

Rao Saheb Kulkarni drew the attention of the House to the fact that under Section 8. women were debarred from election as members of panchayats.

Mr. V. N. Surve said that if the Government were sincere in their object of granting self-Government to villages, they should make proper provision in the Bill for enough funds, so that the Panchayat may be enabled to carry out their duties towards villagers.

Mr. P. N. Vakil, supported the Bill. He said that it was a friendly gesture on the part of the Government in response to the demand of the Opposition. Besides being a constructive measure, it was comprehensive and as simple as the character of the subject permitted.

Dr. Solanki thought that all that had happened lately would not lessen the hardships and sufferings of the Depressed Classes. He considered that the village was the real unit in which self-government should operate, but thought that provision should be made for representation of minorities like the Depressed Classes and Mahomedans He was against the provision that only those who paid house-tax should have the vote.

Syed Miran Mahomed Shah thought that the Bill was an exotic plant as far as Sind was concerned, and that its introduction would create difficulties in Sind. The villages had their headmen for whom he thought an ex-officio seat should be provided on the Panchayat. He thought that the house-tax would be very unpopular in Sind, and advocated a share of the octroi as an alternative.

Mr. J. S. Kadri of Ahmedabad thought that the Bill should be radically overhauled. He was against forcing a measure on the villagers, which they had not been asked it they required.

Sir Rustom Vakil, replying to the debate, said that he was not in favour of separate electorates. Communalism had made itself unpleasantly felt in the cities, and he thought that the poison should not be introduced in the villages.

After the Minister's reply the house passed the first reading of the Bill which was afterwards referred to a Select Committee of 19 members who were to report within two months.

RESPONSIBILITY AT THE CENTRE

Mr. J. B. Petit's resolution favouring the simultaneous establishment of a Responsible Central Government with the grant of Provincial Autonomy, was discussed at great length.

The mover said that the Ordinances were a confession on the part of the Government of their inability to govern without such extraordinary powers. If goodwill was to be created, the introduction of Responsibility at the Centre was the only means.

Mr. B. S. Kamat thought it better to wait till the Federation scheme was completed than to have mere Provincial Autonomy.

Sir Shah Nawaz Khan Bhutto endorsed the opinion expressed at the Round Table Conference by the Moslem delegates, that, while pressing for Responsibility at the Centre, they should have immediate Provincial Autonomy.

Sir Rafuiddin Ahmed did not see the utility of such resolutions, and advocated a policy of "wait and see."

The resolution was carried. The Government did not participate in the voting, but agreed to forward the same to the Government of India.

COMMUNAL AWARD

The Council on the 13th October considered the following resolution moved by Rao Saheb P. D. Kulkarni:

"This Council recommends to the Government to communicate to the Secretary of State for India through the Government of India the considered opinion of this Council that the British Cabinet be pleased to ascertain public opinion in India on the Communal Award before the same is finally accepted as the basis for formation of electorates and distribution of seats in the provincial legislative councils as the Award is likely to introduce harmful communal principles in the coming constitution and is calculated to retared the formation of a spirit of common nationality in the Indian body politic."

The mover said that the Award had been denounced by all communities in the country. No community felt satisfied. If however the system of joint electorates had been introduced much of the dissatisfaction would have been removed.

Dr. P. G. Solanki opposed the resolution He said that though the Award had not satisfied the communities it had on the whole satisfied the Depressed Classes. Referring to the Poona Pact he said that the Pact had removed the hitch between caste Hindus and the Depressed Classes but he now found that there was reaction against that Pact He further hoped that the forthcoming Lucknow Conference would bring about unity between the two communities.

After some more speeches the mover withdrew the resolution to the surprise of many.

WAKFS ENQUIRY COMMITTEE

There was a general discussion on the resolution moved by Haji Mir Muhammed Balloch recommending to the Government to take immediate steps to adopt the report of the Bombay City Mussalman Wakfs Enquiry Committee.

Diwan Bahadur Dongarsing Patil opposing the resolution said, that when the Wakf Act was passed by the Assembly, the Provincial Governments were allowed the discretion as to whether or not to apply the Act to their Presidency. Since this was a religious matter mainly concerning the Bohra Community, the decision should be left to the community itself.

Mr. Gulam Hussain Matcheswalla (Muhammadan Urban Bombay City) also opposed the resolution and said that the question mainly concerned the Bohra Community and as such the Mullaji Saheb had complete authority over the trust funds entrusted to its care.

Dr. P. G. Solanki thought it imperative that all religious trusts should be submitted to the scrutiny of the Government. He, however, made an exception in case of the Bohra Community, because a very large section

believed in the Divine power of Mullaji Saheb. their religious head, and the house must respect their sentiments.

Rao Bahadur A. N. Surve referred to the "fourteen points" of the Muhammedan community which that community was pressing on the Hindus to accept. One of the points was that no religious decision should be adopted by the legislature unless three fourth majority of that community was in its favour. If the Muhammedan Community had faith in their fourteen points they ought to give protection to the Bohra community. The duty of protecting the rights of the Minority community of Bohra had fallen upon the Hindus, and they had to do it as an earnest to show that so far as Hindus were concerned they would always protect the interests of minor communities.

Diwan Bahadur S. T. Kambli, Minister, speaking on behalf of the Government observed that many irrelevant issues were ranged in the Debate. The only point was whether Government should accept the recommendation of the Committee which was to the effect that a central Wakf Board should be constituted. Government had found that that recommendation was not clear and definite. Mr. Kadri who was a member of the House and also Secretary of the Committee promised to bring a Bill in terms of that recommendation. Government were awaiting the introduction of that Bill. Another point he wished to make clear was that the Wakf Act had been made applicable to the Bohra Community in November last.

In these circumstances he requested the mover to withdraw the resolution which the mover did, the House permitting.

AHMEDNAGAR DISTRICT BOARD

Rao Bahadur Chitale moved, on the 15th, his resolution that the Council recommends that the Government be pleased to institute an enquiry by a competent officer into the working and every day administration of the Ahmednagar District Board which is deteriorating from day to day and to take steps to check its further deterioration.

The discussion on this resolution was taken up on the sitting of the 17th October.

Rao Bahadur Chitale cited facts and figures to show how, for some years past, the District Local Boards had been curtailing the amenities of life of the population, and how vast sums of money had been lost owing to the spend-thrift method followed by the District Local Board. As an illustration, Rao Bahadur Chitale said that out of thirteen Allopathic and eight Ayurvedic Dispensaries, only two or three Allopathic Dispensaries were being maintained and that one of the Dispensaries was provided with Rs. 150 for medicines and other things. Out of the eight Veterinary Dispensaries all the eight were closed. Speaking of the spend-thrift way of the Board, Rao Bahadur Chitale said that the inadmissible expenditure from the year 1927-28 to 1930-31 amounted to more than two lakhs of rupees.

Mr. N. E. Navle moved an amendment to the original resolution to the effect that the words which is deteriorating from day to day and to take steps to check its further deterioting, and substitute "from the period Rao Bahadur Chitale became President for the first time till the time he vacated the Presidentship of that body." Mr. Navle explained how owing to retrenchment and want of funds from the Government, the Board was compelled to curtail its work and said that the mover was actuated by extraneous motives. Rao Bahadur Chitale who once occupied an honourable posi-

tion in most of the local bodies and who was the Dictator of Ahmednagar District till 1925 was ousted from that position.

Mr. L. R. Gokhale moved an amendment to this amendment to the effect that an enquiry should be held upto the present day. He said that if the enquiry was considered necessary, then it should be for the whole period. Referring to Mr. Navle's amendment Mr. Gokhale said that it spoke of the ill taste of the mover. He was for dropping the whole resolution.

Rao Bahadur Bole moved still another amendment to the effect that the enquiry suggested by Mr. Navle's amendment should be with particular reference to the famine fund.

Rao Bahadur Naik and Dewan Bahadur Patil opposed the resolution. Mr. B. S. Kamat moved a closure and remarked that he had never heard a debate brought to more distressing level than this one. The closure being accepted Rao Bahadur Chitale rose to reply. He signified his readiness to face an enquiry suggested into the amendments and explained the part played by him during his period of office. He, however, withdrew the resolution on the suggestion of friends.

HIGH COURT RULES AMENDMENT

Rao Bahadur Bole next moved the following resolution:

"This Council recommends to the Government to do away with the cumbersome procedure and dual system according to which a firm of solicitors and two counsel are required to be engaged by litigants of the Bombay High Court and to adopt simpler and cheaper system, as is adopted by litigants in the Madras High Court."

The Home Member, Mr. W. F. Hudson, sympathised with the spirit of the resolution and remarked that though India was said to be a very poor country, and immense amount of money was wasted in litigation. The dual system did not mean a cumbersome procedure; it only tended to accelerate justice. There was nothing in the High Court Rules which required that two Councils must be engaged, though he was aware of such a practice. He then cited authorities to show that the dual system tended to accelerate justice.

Mr. J. B. Petit, observed that British justice was sure but exceedingly slow and ruinous. Dr. Sollaco said that the administration of justice must be made cheap so that an aggrieved par

The resolution was withdrawn on the assurance of the Home Member that he would draw the attention of the High Court to the impression that two counsels were not necessary and remedy it.

EDUCATION GRANTS

Rao Bahadur Kale moved on October, 18, "This Council recommends to the Government that orders recently issued reducing by 20 per cent. the grant-in-aid to the Local Bodies for primary education be rescinded and the old practice restored." Rao Bahadur Kale outlined the state of primary education and how he was being starved for want of funds. In his opinion the cut was bound to affect adversely the progress of education in the Presidency.

Rao Bahadur Chimabhai Naik supporting referred to the attempts made during the last 50 years for primary education. He asked the Government whether it was so difficult for them to provide about Rs. 20 lakhs out of the budget of 14 crores. The Local Bodies were already hard put to maintain their existing expenditure for primary education and it was unfair to throw the odium on them of closing the schools by reducing the grants.

Dewan Bahadur Dongersing Patel who supported the resolution suggested that the Government should retrench their expenditure in other Departments and restore the cuts in primary education.

Rao Bahadur Aswale pointed out that the Bombay Municipal Corporation could not take up compulsory primary education owing to cuts in grants and pleaded for its restoration.

Mr. J. B. Petit observed that the house had always helped the Government in finding new sources of revenue. It was but fair that the Government should meet the demand of the House in respect of the primary education. The speaker was fully aware of the financial difficulties experienced by the Government but said that if the Government had a will they would certainly find out ways to restore grants-in-aid to schools.

Mr. V. A. Surve said that it was proclaimed from the house tops that this government existed for the benefit of the backward classes and agriculturists and expressed his surprise that they should deprive these very classes from taking advantage of the primary education.

Dr. Dikshit failed to understand the reasons that made the Government to cut the education grant by 20 per cent. when the cut in Officers' salaries was 10 per cent. The Government had sufficient money to restore the grant if they were so minded.

Mr. Syed Munawar suggested Entertainment Taxes on betting of horses to meet the deficit in the educational grant.

Sir Gullam Hussain Hidayatulla sympathised with the spirit of the resolution and promised to reconsider the question before the next budget season. He further assured that as soon as the Government finances are improved Primary Education would have the first claim upon their resources. The whole question was under consideration of the Reorganisation Committee and as soon as the Government received the Report they would try to do what they could to meet the demand of the House.

Dr. P. G. Solanki said that the cut affected the Depressed Classes more than anybody else. Many students of this class were getting help in the way of scholarships, books, slates etc. He was afraid all that would now be stopped.

Mr. Kadri supported the motion and said that Government was doing injustice in curtailing facilities for primary education. If education was properly encouraged by the Government, they would be able to save in other departments.

Rao Saheb Desai pointed out that because of the cut, about 120 teachers in his district had to be sent away and as far as his information went, the proposals for the abolition of certain schools had been before the authorities. He thought that the cut of twenty per cent. was unreasonable.

Diwan Bahadur S. T. Kambli, Minister for Education, quoted figures to show that Bombay Presidency had been making progress in the matter of primary education. He pointed out that 230 new schools had been opened since the passing of Primary Education Act in 1923-24 and that the number of students during the same period had risen to three lakhs. Twenty-nine schemes of compulsory expansion and thirty-four schemes of voluntary expansion had been sanctioned. He wholeheartedly joined into an assurance given by Sir Ghulam Hussain.

Rao Bahadur Kale replying to the debate said what they wanted was not the sympathy but action and nothing less than action. Regarding the plea of financial stringency he pointed out that the very same reply was given to their demands since the passing of the act. By making this cut,

Government were given a set back to the progress so far made. All that he asked by his resolution was not to stop that progress by closing the schools and dismissing teachers . The speaker further said that his resolution would strengthen the hands of the Minister, who he hoped would not fight shy of the resolution.

Dr. P. G. Solanki then moved the following resolution:

" This Council recommends the Government that they should either stop or reduce substantially all grants to primary and secondary schools under the control of the Government, Municipalities and District Local Boards and to other Government aided institutions as well as dispensaries and Hospitals, which receive Government grants, where admission is refused to boys and girls and persons of depressed classes on plea of custom, religion and orthodoxy and where equal treatment to children and members of the depressed classes is denied. "

Dr. Solanki cited several instances in different parts of the presidency where either in schools or in other public bodies, admission and proper treatment were not accorded to children and members of the depressed classes not only by Brahmins and advanced classes but by backward communities. He observed that despite the Poona Pact everything was not alright.

Rao Bahadur G. V. Pradhan speaking on the resolution did not think that there was any difficulty for the depressed classes boys so far as the Municipal schools were concerned. For instance the Nasik Municipality always accorded equal treatment to boys and members of the depressed class. He, however, admitted that the case was different with local Boards who had to occupy buildings for schools, the owners of which were not always agreeable to entry of depressed class children. He said that grievances such as mentioned by the mover could be removed without recourse to such a solution.

At this stage Diwan Bahadur S T. Kambli suggested an amendment that the word " discretionary " should be inserted before the word " grants " in the resolution while Mr. A. N. Surve suggested another amendment that in stead of the word " stop " the word " reduce " should be inserted.

The President was about to put the resolution on vote as amended when Dr. Solanki wanted to say a few words. As time was over the Council adjourned till the next day.

When further discussion was resumed there was a crop of amendments to the resolution to the effect that the schools and hospitals maintained for particular communities under deed of trusts should be excluded from the operation of the resolution.

Sir Raffiuddin Ahmed suggested that the resolution was a recommendatory one and as such it should be passed in the form it then stood.

The President pointed out that since Honourable Members had accepted the resolution in clear terms, it lost its recommendatory character and became binding upon the Government.

Mr. Ewbank moved an amendment to the effect that Government might or should in their discretion reduce grants etc.

Sir Raffiuddin Ahmed intervening remarked that the whole point seemed to him that the Minister had committed indiscretion and the General Secretary moved his amendment to get out of that position because of the ruling given by the Chair.

Dr. P. G. Solanki in reply admitted that certain Hindus individually were working for removing the disabilities of Depressed Classes, but those solitary efforts could achieve nothing before the vast majority of orthodox Hindus. He was sorry to find that even the non-Brahmin Minister of whom he had great expectations was trying to whittle down his resolution. He was,

therefore, not prepared to accept any amendment, but wanted to take his resolution to division and show how Hindus and Government treated the Depressed Classes. His resolution was meant to give power to the Government against those institutions that exclude depressed classes, but Government was parsimonious and miserly.

Mr. G. Davis, Legal Remembrancer, moved an amendment to the resolution which was accepted by Dr. Solanki. The amendment read: "This Council recommends to the Government that they should reduce any discretionary schools under the control of the Government, Municipalities or District Local Boards or to other Government aided institutions as well as dispensaries or hospitals which receive Government grants where admission is refused to boys or girls or persons of the depressed classes on the plea of custom, religion and orthodoxy of Hindus and whose equal treatment to children and members of the depressed classes denied."

Mr. L. R. Gokhale moved an amendment to the effect that words "of Hindus" be deleted. He said that he failed to see the purpose of the amendment except for giving offence to the Hindus and undesirable in the nature of things

Continuing Mr. Gokhale said that there were orthodoxy in all the communities and cited the example of Sir Dorab Tata who had been insulted in the Taj Mahal Hotel by certain Europeans.

The President said that he understood that the House accepted the spirit of the resolution and that the resolution in some form should be accepted. He thought that the amendment proposed was acceptable to both sections of the House.

The amendment of Mr. Gokhale on being put to the vote was declared lost. A division was asked for and resulted in 19 for and 29 against the amendment.

After the result was made known almost all the Hindu non-official members walked out of the Council as a protest. The resolution as amended was then passed.

LABOUR COMMISSION'S RECOMMENDATIONS

The Council on the 19th October resumed consideration of Mr. Syed Munawar's resolution which runs as follows:—

"This Council recommends the Government to take early steps to give effect to such of the recommendations of the Royal Commission on Labour as it does not involve Government into any expenditure regarding.

Improvement of humidification in factories, abatement of dust nuisance in factories, settlement of Industrial Disputes and penalty for loitering about industrial establishments for recovery of debts."

Mr J. B. Petit remarked that the resolution was not clearly worded as it did not indicate the amount of expenditure or the matter in which the recommendations were expected to be put into effect.

Mr. W. F. Hudson, the Home Member sympathised with the resolution but declared his inability to accept the resolution. The recommendations of the Royal Commission on Labour not only concerned the Local Government but also the Government of India. Some of them had already been considered by the Government and the others were under consideration. The resolution was by leave withdrawn.

BOMBAY SPECIAL POWERS BILL

On the 13th October, after the question hour, Sir Ghulam Hussein Hidayatulla informed the House that Government had decided to hold a third session of the Council in Bombay on November 22.

The necessity of the Council was in connection with the consideration of the ordinance bill which was drawn up on a line with the Assembly Bill to suit the provincial purpose.

On the afternoon of the 22nd November, Sir W. F. Hudson, the Home Member, introduced the "Bill to confer special powers on the Government and its officials for the purpose of maintaining law and order."

In introducing the Bill, the Home Member asked the House to keep in mind the principle of the Bill, namely, that it aimed at checking Civil Disobedience. Once that movement ceased, the provisions of the Bill would no longer be necessary to be enforced.

The Home Member then recalled what he termed as the "sinister activities of the Congress in 1930," namely, the Wadala raids, the picketing of shops, the stopping of lorries carrying foreign cloth and the "no-tax" campaign. These, the Home Member asserted, interfered with the ordinary life of the citizens. These activities, the Home Member further contended, would have been repeated in 1932 had it not been for the Ordinances. He could not say when it would become possible for the Government to abandon these weapons as the war was still on. Congress bulletins every day asserted that the war was still on and would be continued. Therefore, the Government had to arm themselves with the necessary powers. The Home Member then pointed out that in the new Bill they had dropped several of all provisions of the Ordinance altogether, and had altered several others considerably. As an instance, he stated that under the Bill, only the Police Commissioner, Bombay, and the District Superintendents of Police in the mofussil, were given powers to arrest and detain persons on suspicion. Special power asked for in the Bill, were to be kept in reserve to meet Civil Disobedience. That had been made clear in Sub-Section 3 of the Bill.

There was a long discussion over the Bill. As a matter of fact, the Council took five days to pass the First Reading. Several amendments were put forward when the discussion was taken clause by clause but all amendments, except those moved by the Government side were lost. The Bill was practically put in its entirety before the House when the Third Reading was moved.

Mr. A. N. Surve raised a point of order whether it was legal for the local Legislature to enact a measure which could be brought only in an emergency in which case the Governor-Council alone had powers to promulgate such measures as were necessary to cope with the situation.

Mr. V. F. Taraporewala, Advocate-General said that because powers were vested in the Governor-General to promulgate measures in emergency conditions that did not mean that the Central or Provincial Legislature could not legislate in order to meet such emergency conditions. Moreover this piece of legislation had already received the sanction which was necessary under the Government of India Act, and was only one among the various measures introduced in other provinces under the Law.

The President held that neither this Council nor any other legislature was barred under any law from proceeding with a legislation of that kind. No ruling was necessary as there was no point of order involved in the points raised.

Mr. J. B. Petit opposed the third reading. He denied that there was a state of war in the country and also denied that ordinary laws were inadequate to deal with the situations. He was sure that Government would find it before long that the measure was not going to yield the anticipated results. The Bill, as amended was carried by 48 votes against 19.

AMENDMENTS

Some of the amendments with summarised discussions on them are given here:—

Mr. J. B. Petit's amendment to restrict the life of the Act to one year was defeated, 35 voting for and 60 against it.

Mr. N. Surve (Bombay City) moved an amendment, to the effect, that the life of the Bill should be restricted to one year, but that thereafter, it might be extended by the Government for a further period not exceeding two years, provided a copy of such an order was laid on the table of the House at the commencement of the session following the date of the issue of the order, and it was approved by a resolution.

The Home Member stated that, in order to meet the wishes of the House to a certain extent the Government had decided to have an amendment brought forward, to the effect, that the measure be in operation for one year, and thereafter for a period not exceeding two years as the Governor-in-Council might direct by a notification in the Gazette.

The Home Member's amendment was carried by the predomination voice of the house.

Mr. Gangoli moved that the power to control suspected persons should not be exercised in the following cases:—

(1) Eucouraging Swadeshi by all lawful means, (2) Peaceful propaganda against intoxicating drugs and liquor; (3) Organising any propaganda to fight economic distress; (4) Abstaining from opening the doors of private shops; (5) Refusal to join anti-national movements at the pressure of officials; (6) Mere wearing of any dress and head gear according to the liking of the wearer, etc.

The Home Member, Mr. W. F. Hudson, when addressing the House, referred to an amendment moved to the preamble of the Bill, restricting its application to the Civil Disobedience Movement organised by the Indian National Congress. The Home Member said that it would then be impossible to cope with the terrorist activities or any other activities of the Socialist Republican Party. The whole aim of the Bill was to enable Government to cope with all manner of activities aimed at subversion of Government and which were detrimental to public safety and peace. It was not therefore possible to confine the application of the Bill to one particular movement. The speaker assured the House that the special powers now sought for under the Bill would not be used against any forms of lawful activities. Referring to the amendment which sought to restrict the operation of the Act to one year only, he said that immediately the Civil Disobedience Movement ceased to exist the Bill also would fall to the ground. Should, however, the state of emergency continue even at the end of the year, it would not be fair to impose on the new legislature the burden of considering a renewal of the Act, immediately after the general elections were over and traversing the same ground over again. The whole object of the Bill was not curative but preventive.

As regards deletion of the section relating to control of suspected persons, he would welcome the amendment, provided all the persons who had joined Civil Disobedience would give an undertaking not to take part in the movement further.

Mr. G. S. Gangoli moved that the following addition be made to clause 1 after sub-clause (2).

"All orders under this Act shall be in writing and a copy shall be supplied immediately to the person or persons concerned or affected."

Mr. G. Davis, the Legal Remembrancer opposed the amendment.

Mr. W. F. Hudson, opposing said that Government was not prepared to put the reasons for arresting persons connected with the civil disobedience movement, in writing that would mean an additional work and burden to them ! They would be confidential and as such could not be placed in writing before anybody else. To give out these reasons would sometimes make the rest of their actions ineffective.

The amendment was put to vote and on votes being taken was declared lost by 29 against 48 votes.

Mr. G. S. Gangoli then moved for the addition of the following to clause 1:

"The name of every person arrested, detained or otherwise dealt with under this Act shall be caused to be published in the local papers within a week of the happening."

Mr. L. R. Gokhale moved an amendment to the above to the effect that the names be also published in the "Bombay Government Gazette."

The Home Member opposed both the amendments on the ground that it would be most undesirable to give free and gratuitous advertisements to the persons guilty of civil disobedience; secondly because occasionally a wrong man was hauled up and it would be wrong, therefore, to hold such person in public obloquy for some mistake on the part of the officer, and lastly because it would cost Government a lot of money to advertise the names in the "Gazette" and papers.

The amendment, on being put to vote, was lost.

LOCAL BOARDS ACT AMENDING BILL

On the 3rd October, the Bombay Council resumed discussion on the second reading of the Bill further to amend the Bombay Local Boards Act 1923, which is necessitated by the creation of new limits for the local boards in Sind due to the formation of an additional district. Several amendments were moved, but were withdrawn and the third reading was passed.

The House raised no objection to, a small measure undertaken at the request of the Bombay Municipal Corporation to sanction the levy of a duty on all substitutes which resemble ghee and are capable of being used as such.

ADDITIONAL GOVERNMENT DEMANDS

JAILS

At the sitting of the 5th October Mr. W. F. Hudson, the Home Member, asked the House to sanction the grant of Rs. 3,65,000 being the additional expenditure incurred under Section 25 of the Jails and Convict Settlement and said that the renewal of the Civil Disobedience movement had necessitated the provision of extra accommodation for a large number of prisoners for whom there was no room in the existing prisons. He then referred to the extensions made in different jails to accommodate the prisoners.

The house sanctioned the grant without a division.

SHOLAPUR POLICE

Another item on that day was the demand for one crore and seventy-four lakhs asked by Mr. Hudson, Home and General Member, being the expenditure involved in a permanent increase in the strength of Sholapur City Police force. He said that the riots which occurred in Sholapur during May 19th proved the inadequacy of Police force there. It was at first intended to recover the cost of the additional force from the inhabitants responsible for the riots. But no such recovery was actually made since after

the Delhi Pact the Government of India agreed to recompense the local Government for the cost of additional police up to end of May 1932. From the beginning of June the force had been continued on a temporary basis at the cost of the provincial revenues. He therefore, asked the House to sanction the grant and it was duly sanctioned.

OTHER DEMANDS

Other supplementary Government demands may be stated in the following way:—

Sir Ghulam Husain Hidayatulla moved for a token grant for the provision of a roadway in connection with the resolution of the Kotri Bridge by the North-Western Railway. If the Bombay Government were willing to bear the cost, the railway offered second-hand material available and as the acceptance of this offer would mean a saving of Rs. 3 lakhs, the Government had accepted the same.

Dr. Collace (Bombay) criticised the action of the Government in sanctioning the scheme. The Government, he said, had been asked to contribute towards the cost of the roadway and had straightway offered to pay the whole cost, instead of offering to share the cost with the railway.

The mover pointed out that delay would have meant expenditure of three lakhs more. The grant was passed.

Another item discussed was the temporary appointment, on half his former salary, of Dr. Y. N. Kadam as Superintendent of the N. M. Mental Hospital, Thana, from which post he had been retrenched in March 1932, the Civil Surgeon taking up the duties in addition to his own. Mr. Kadri suggested that a saving could be effected by doing away with the Civil Hospital at Thana, which he described as a white elephant. He hinted that the Indian dispensary, which attracted a larger number of patients, could be utilised for the purpose.

Sir Rustom Vakil denied that the Civil Hospital was a white elephant. If it had been one, philanthrophic gentlemen would not have come forward and offered Rs. 2 lakhs to repair and extend the hospital.

Sir C. Harrison dealt with the criticisms of the scheme to form a plant division for the disposal of the surplus plant and machinery estimated at Rs. 65 lakhs, belonging to the Lloyd Barrage circle.

Another demand concerned the extension of the duties of the Lay Secretary of the J. J. Group of Hospitals, for which a provision of Rs. 300 for four months was asked for.

Dr. Gilder and Mr. Petit opposed the motion. Mr. Petit thought that the sum of Rs. 1,200 per mensem paid was excessive. It was now intended to give the incumbent Rs. 300 for the proposed work of examining the whole system of accounts and expenditure of the St. George's Hospital, and suggesting improvements and economies.

Replying, the Hon. Sir Rustom Vakil reminded the House that the Lay Secretary of the J. J. Group of Hospitals had been asked to do work outside those he had contracted to do, and should be paid for this work.

On being put to the House, the demand was passed.

Two other demands on the Government side were made at the sitting of the 11th October.

The first of the grants was for making provision for motor transport to replace mounted police in the Bombay City and the other was intended to meet the cost of an Additional Canal Talegraph and Telephone Inspector for Sind.

In applying for the first grant the Home Member said that recent communal riots in Bombay City had conclusively proved that Mounted Police were of very little use for suppression of serious disorders under condi-

tions which prevailed in Bombay City. Experience gained in various riots which had occurred in Bombay City had shown that light motor patrols were the most effective weapon for use in times of serious riots and disturbances.

Both the demands were passed.

WEIGHTS AND MEASURES BILL

The Bombay Legislative Council passed on 11th October the Bill which fixes the scale of standard weights and measures for the Presidency of Bombay.

The House took up consideration of the resolution moved by Rao Saheb Kulkarni, which seeks to have the seats for the various wards of the Poona City Municipality rearranged according to the proportion of the residents in each ward or on the basis of the number of voters.

Sir Rafuddin Ahmed opposed the motion on the ground that acceptance of the resolution would result in the reduction of the number of seats for Mahomedans on the Municipality from five to four.

The mover then withdrew the resolution, on an assurance by the Minister that, if a necessity arose, the Government would consider the distribution of seats in each ward on a population basis.

INTERPRELLATIONS

NOVEMBER 22, 1932

Mr. G. S. Gangoli asked the following questions regarding recovery of land revenue by use of coercive measures:—

(A) The number of cases in Siddapur Taluk of Kanara district in 1932; (B) the number of attachments of movable property; (C) the number of forfeiture of land; (D) the number of sales of immovable property; (E) the number of evictions; (F) the number of cases of cattle attached.

Sir Ghulam Hussain replying said:—(A) 1252; (B) 425; (C) 242; (D) 178; (E) none; (F) 48.

Replying to Mr. Gangoli's another question regarding payment of cash allowances to temples in Kanara District Mr. Ghulam Husain said yearly allowance was withheld in cases of four temples pending enquiry in connection with the appropriation of temple premises for furtherance of the Civil Disobedience Movement.

Mr. W. F. Hudson replying to a question of Mr. R. R. Bakhale said the Government did not propose to remove political prisoners to the Andamans.

NOVEMBER 23, 1932

REMOVAL OF IDOLS

In reply to a question from Mr. G. S. Gangoli (Kanara District) regarding arrests and convictions in Siddapur Taluka in connection with non-payment of taxes it was stated that the number arrested and convicted under the Ordinance for instigation of the said offence was 49 and 46 respectively.

To another question from the same member regarding removal of idols by way of recovery of Assessment Sir Ghulam Hussein said that it was true that a Mahomedan Circle Inspector had entered the outer portions of houses belonging to certain Brahmins in two villages and that in no case were idols of daily worship displaced and removed from the places of worship.

BOMBAY RIOTS

Mr. N. N. Patil (Kolaba) asked the Home and General Member whether it was a fact that a Hindu was murdered at the junction of Duncan Road

and Sandhurst Road during the recent riots in the city, while a police party was stationed near by and whether any enquiry was made in that connection.

Mr. W. F. Hudson replied that it was true that a Hindu was murdered at the place mentioned but that the police party was at that time engaged in dealing with riots 400 yards away. Enquiries had been made but no trace of the culprit could be found.

SUBSIDIES TO NEWSPAPERS

To a question from Mr. J. B. Petit regarding subsidy by Government to newspapers, Mr. Hudson stated that a subsidy amounting to approximately Rs. 100 a month was being paid by the Collector of Karachi with the sanction of Government to the "Sind Patriot." In addition copies of the following newspapers were being purchased with the sanction of Government:—

100 copies of the "Parikshak" of Belgaum by the Commissioner and 40 copies by the Collector of Belgaum.

"Prakash" of Dharwar—copies were purchased at intervals by the Collector.

"Vichari" of Karwar were purchased by the Commissioner, Southern Division for distribution in Kanara District.

"Nation" of Bombay was purchased by the Director of Information.

Besides, a sum of Rs. 4,000 had been placed at the disposal of the Commissioner. Northern Division, to meet expenses incurred in connection with the "Gujerat" Patrika.

The basis on which the subsidies were given was the dissemination of correct information on the present political situation and to give an accurate presentation and explanation of the policy of Government and the actions of their officers.

NOVEMBER 24, 1932

SWADESHI AND POLITICS

The following questions were asked by Mr. L. R. Gokhale (Poona City). Will the Hon. the Home and General Member be pleased to state:

1. Whether it is a fact that the (Mahad Swadeshi) League is a non-political body having no connection with the activities of the Congress.

2. Whether Government are aware that the Swadeshi movement is purely an economic movement and is in no way connected with either the boycott of British Goods or other non-co-operation movement.

3. Whether it is a fact that the District Magistrate of Kolaba has issued notices to two workers of Swadeshi League—Messrs. T. S. Pansara and M. G. Rahalkar—directing them to report to the police every evening and also ordering them not to leave their homes between sunset and sunrise;

4. Whether Government intend issuing orders to the various District Magistrates to protect honest Swadeshi workers from being harassed?

The Hon. Mr. W. F. Hudson replied:—

1. Government are not aware that this is so.

2. Government are aware that there have been many instances in which the Swadeshi movement has been very closely linked with the boycott of British Goods and other such non-co-operation movements.

3. Yes.

4. It is not the policy of the Government to interfere with bona fide Swadeshi workers, and the local officers are fully aware of that policy. The necessity of issuing orders for the protection of such workers does not, therefore arise.

MADRAS LEGISLATIVE COUNCIL

THIS session commenced on the 31st October and continued upto the the 9th November when it adjourned till 23rd January. One of the important events of the session is the resignation of the Ministers. As a result of split in the Justice Party, and owing to some difference of opinion with the Chief Minister, Mr. B. Muniswami Naidu, the two other ministers, Mr. P. T. Rajan and Mr. Kumarswami Rediyar tendered their resignation on the 3rd November at 1-30 P.M. An attempt was being made to move a vote of no-confidence on the Chief Minister. But at about 5 P.M. he too resigned. The Governor accepting the resignation letters took over the charge of the transferred subjects temporarily and summoned the Raja of Bobbili to form a Ministry. At his instance, however, the next ministry was constituted with no other change than in the Chief Minister which post was held by the Raja himself. The new Ministry was accordingly formed of the Raja of Bobbili as the Chief Minister, Mr. P. T. Rajan and Mr. Kumaraswami Reddiyar who resigned from the Naidu Ministry as the second and third Ministers respectively.

LOCAL BOARDS ACT AMENDING BILL

The bill to amend the Madras Local Boards Act, 1920 for the purpose of introducing the principle of reservation of seats for two important minority communities, Muslims and Indian Christians in village panchayats, as introduced by Mr. P C. Moses on the 31st October, was taken up for consideration on the 1st November.

The hon'ble Mr. B. Munuswami Naidu said that he had no objection in accepting the principle of the bill.

The bill was then passed into law without any discussion; the amending bill enabled the Government to reserve seats for Muslims and Indian Christians in panchayats when such reservation was absolutely necessary.

The Kumararaja ot Venkatagiri's Mangavaram, Anakapalle, and Nakkapallu Impartible Estates Bill was next passed.

The motion of Mr. Basudev to refer the Moneylenders' Bill to a Select Committee was passed by 36 to 28. Government members voting against it.

DISTRICT MUNICIPAL ACT AMENDING BILL

Mr. A. Ranganatha Mudaliar moved that the Bill to amend the Madras District Municipalities Act 1920 be referred to a Select Committee. He said that the work of chairmen of municipalities had been constantly on the increase. Their functions were many and it was almost impossible for honorary workers like chairmen to find time and energy to cope with all the work. He thought the assistance of an executive officer with some statutory power would be of great help in the administration of the municipality. It would facilitate the smooth working of the administrative machinery of municipalities. His Bill was for the purpose of giving effect to this need.

Mr. T. C. Srinivasa Iyengar seconded the motion which was passed.

VELLIYAKUNDAM IMPARTIBLE ESTATES BILL

Mr. Yaqub Hassan was allowed by the House to introduce the Velliyakundam Impartible Estates Bill.

Mr. K. R. Venkatarama Aiyar seconded the motion.

The following two Bills were also introduced by Pandit Ganala Ramamurti and Mr. C. Satyanarayna Chowdhuri respectively:—

The Beedi Factories Bill and the Bill to amend the Madras Estates Land Act 1908.

NON-OFFICIAL BILLS

Mr. D. V. Narasimhaswami moved that the Kapileswaram Impartible Estate Bill be taken into consideration.

He said that the Zamindar of Kapileswarapuram Estate was one of the direct lineal descendants of the ancient rulers of Nuzvid. The properties of the Estate were part and parcel of the ancient Nuzvid zamindari which was dismembered in consequence of the decision of the Privy Council under which the zamindari was declared partible. The Estate now fetched an income of over Rs. 47,000 per year and the present Zamindar had expressed his desire that a major share of the estate should be held as impartible and inalienable so that the family custom, dignity and status be upheld in his line.

A number of amendments was proposed by the Revenue Member which were carried nem con without discussion.

On the motion of Mr. Narasimhaswami the Bill was then passed into law.

IMPARTIBLE ESTATES ACT

Mr. M. G. Patnaik moved that the Bill to amend the Madras Impartible Estates Act, 1904, be referred to a Select Committee.

The Bill is to declare that right of junior members and others of the family of the holder of impartible estates to maintenance out of the impartible estates and the income thereof without proof of any special custom.

The bill was after some discussion referred to the Select Committee.

OTHER BILLS

Mr H. M. Jagannatham moved that the Artisans Bill be referred to a Select Committee.

The Bill is intended to regulate the work of, and labour in, certain artisans' workshops in the presidency, to make the shops healthy and to prohibit the employment of children under 12 years of age so as to give the opportunity to acquire the three R's.

Pandit Ganela Ramamurti, who had given notice of a similar Bill seconded the motion, emphasising the urgent need for this legislation.

The hon'ble Sir Mahomed Usman, opposing the motion said that the bill was unsatisfactory in many respects. He believed that the mover would be doing a positive disservice to the artisans by pressing the bill.

Mr. A. M. Jagannatham then informed the President that he did not wish to press his motion to refer the bill to the Select Committee. He asked leave to withdraw it.

Mr. V. T. Arasu objected. The President therefore put the motion to the vote of the House. It was declared lost.

LATHI CHARGE IN BELLARY JAIL

Immediately after question time, on the first day, that is, on the 31st October, Mr. A. Ranganatha Mudaliar, who had given notice of an adjournment motion regarding the disturbance in the Bellary Jail, before formally moving it, asked the hon'ble Law Member, whether, in view of the sensation, the various reports in the papers about the incident had caused, as to lathi

charges on the political prisoners and flogging in the Bellary Jail, he would be pleased to make a statement and also state the steps the Government had taken to put an end to a repetition of the incident and about the hunger strike that was going on in the jail.

The Hon'ble Sir M. Krishnan Nair said that on Friday last he received a deputation of respectable citizens of Bellary on this subject and he would now repeat what he told the members of the deputation then. First of all he desired to state that there was no lathi charge. On 12th September, which was a Monday, the usual weekly parade was held in the Bellary Central Jail. It was usual on these occasions to call all the political prisoners to a line when they would be examined by the Superintendent. In that group of prisoners there were 2 Punjabi conspiracy prisoners. Incidently he might also say that these outside prisoners were generally troublesome. These two prisoners did not wear the usual cap nor had they weighment chart with them. The Superintendent asked why they did not have these things with them, and one of the prisoners replied that he would disobey all prison rules and did not go back to the line. He refused to obey the Superintendent and pulled up his sleeves to have a fight and shouted revolutionary slogans like "up with revolution and down with British flag." Some of the Warders approached the Punjabi prisoners for the purpose of making them go back into line. When they approached the prisoners, a fight ensued with the result there was great commotion among the prisoners. The Superintendent telephoned to the Reserve Police and the Police came and order was enforced. The prisoners resisted and in the melee that would naturally take place, some prisoners, who took part in the disturbance received injuries, minor injuries when compared with the injuries received by the warders and the police. There was only one civil disobedience prisoner, about whom it might be said that the injury was serious. One of the bones of his finger was broken.

The District Magistrate happened to be absent from headquarters on the day of the occurrence. As soon as he returned to headquarters, he immediately held a detailed inquiry. After a full enquiry, the District Magistrate submitted his report to the Government and the report was to the effect that the jail officials were not in any way to be blamed. What was more was that the District Magistrate went round the jail along with the non-official visitors. The non-official visitors were satisfied that the jail officials were not to be blamed.

MONEY LENDERS' BILL

Mr. C. Basudev moved that the Madras Moneylenders' Bill be referred to a Select Committee. He said that the Bill was a very modest endeavour to bring under control certain kind of money-lenders, whose methods of business and accounting were far from being satisfactory. The bill was not intended to affect Nattukottai Chetti bankers. It was not at all directed against any honest moneylender. It was a preventive measure to safeguard the interests of the unwary and unfortunate poor borrowers. The bill was drafted on the lines of the Panchayat Regulation Accounting Act. The object of the bill was to fix a reasonable maximum rate of interest, to provide for the good and safe conduct of the business of certain kinds of money-lending.

Mr. V. Muniswami Pillai seconded the motion. He emphasised the point that the bill would be of great help to poor unfortunate borrowers of money. It would also have a check on the demand for exorbitant rate of interest.

Mr. V. T. Arasu opposing the motion said that enough publicity had not been given to this measure so as to elicit public opinion He said that the

provisions of the Usurious Loans Act gave sufficient protection against usuary.

Mr. M. A. Muthiah Chettiar said that he would certainly object to any provision being made that would retard adequate credit facilities being afforded to trade and commerce of the country. Certain indigenous bankers carried on their trade on traditional lines handed down to them by generations of their ancestors and in language and according to a system of accounting they were accustomed to, and it was uncharitable to suggest that they were keeping back the truth from the borrowers because the account was not kept in a particular language. The Income-Tax Act he said afforded a sufficient safeguard against malpractices. He once again appealed to the House not to do anything that would retard the giving of credit facilities for trade and commerce.

Mr. C. R. Parthasarathy Iyengar in supporting the motion though that a bill of this kind was necessary.

The Hon. Sir M. Krishnan Nair, opposing the measure, said that it was unacceptable to Government, both from the point of view of creditors and of debtors. The provisions making failure on the part of the money-lender to grant a receipt for payments received, making it a cognisable offence and fixing a maximum rate of interest, were some cases in point. It was stated that the bill was framed on the lines of the Punjab Act, but so far as he could see there were no such provisions in that Act. Besides that Act had not been brought into operation up to June, 1931; he did not know if it had been since. The penal provision coupled with the definition of "moneylender" were bound to operate hard against sons of money-lenders who might not wish to continue in the trade. The Banking Enquiry Committee, he said, had remarked that the fixation of a maximum rate of interest was "neither practicable nor advisable" and the Government of India had opined that it "does not constitute a satisfactory remedy for the mischief. ' Money-lending existed not only in this province but all over India and such a legislation was more for the Central Legislature to think of. As a matter of fact, the Government of India were actively contemplating initiating such a measure. The High Court of Madras had, besides suggested that before embarking on such a legislation, they might wait for the experience of the working of the Punjab Act. He urged the House in conclusion to reject the bill.

Mr. C. Basu Dev in reply to the debate said that he appreciated the objection of the Law Member regarding the penalty attached for non-compliance of receipts. But it was open to the Select Committee to change that provision. He did not see any reason why they should wait to see how the Panchayat Regulation Accounting Act would work. They must also keep pace with the times. As for the objections of Mr. Muthia Chettiar he need not fear if the members of his community kept proper accounts. The motion of reference to the Select Committee was carried.

RESOLUTIONS

TEMPLE ENTRY

Dr. P. Subbaroyan moved 'This Council recommends to the Government that they may be pleased—

(1) to recognize the strong and growing public feeling in the Hindu community that disabilities hitherto imposed by usage on certain classes of the community in regard to social intercourse and common worship at temples, should be removed and justice rendered to them.

(2) to take advantage of the great impetus given in this respect by the settlement arrived at, at Poona among the leaders of the communities and

the consequent agitation in the country that places of public worship should be thrown open to the so-called depressed classes, and

(3) to bring up legislation setting at rest and removing, if necessary, the doubts and disabilities which trustees and other persons holding authority in the administration of Hindu temples feel in regard to throwing them open to the said classes, with necessary safeguards for the making of regulations for maintaining order and cleanliness in temples and also the performance of ceremonies according to the usage of the temple.'

This resolution, Dr. Subbaroyan said, was not brought forward by him as mere pious wish to admit their Depressed Class brethren into temples. If this resolution was accepted by the House he meant to go forward and bring forward legislation in this respect if the Government did not do so. He did not think they could get away from the fact that in spite of half a century of work by social reformers, the Caste-Hindus had not done their duty to the Depressed Classes. They must satisfy the strong feeling of the Depressed Classes to worship in the temples as the Caste-Hindus were doing. He could assure the House that there existed in the country a really strong public feeling in favour of this reform.

In the 'agama' he had been told only the name 'chandala' appeared and not the name 'panchama'. He did not think the 'agamas' provided for the 'panchamas' not entering the temples. Those who were not of clean habits were to be prohibited. That was how he had understood the 'agamas'. In the Madura temple up to a certain extent the Mahomedan and Christians were allowed to come. Should not the Depressed Class brethern have the same right ? The trustees were saying that in spite of their good-will and desire they could not go against Section 40 of the Religious Endowment Board Act which stated if a trustee went against custom and usage he would be removed. He would ask the Chief Minister, the leader of a democratic party which stood for Justice and equality among all communities, why he had not brought legislation to get rid of this Section 40 of the Act. There was no doubt that a great impetus to this movement had been given in the country; people like Kelappan were prepared to lay down their lives on behalf of their depressed class brethren. It was therefore that all Caste-Hindus should unanimously support the motion. Its reform would tend to the unification of the Hindu community. If the Hindus claimed as being the largest majority, it was on account of the depressed class brethren. Should not the Hindus then give the same right to the depressed classes as they also possessed ?

An opinion expressed by the House would greatly facilitate Government sanction for such a measure. He would also appeal to the members not to run away with the impression that immediately the resolution was passed, they were going to lead the depressed classes into temples; nor was it their idea to use coercion or force in bringing about the change. The idea was simply to create the necessary public opinion as quickly as possible to carry out the Poona Pact and in favour of the entry of their depressed brethren into temples. He urged the House to seriously consider the resolution and pass it unanimously, if unanimity could be obtained.

Mr. T. A. Ramalinga Chettiar seconded the motion.

Mr. V. I. Munuswami Pillai moved amendment to insert the words, " and the Bombay Conference " after the word " Poona " in Section (2) of the resolution.

The mover accepted the amendment.

On the 1st November, the Hon. Sir M. Krishna Nair on behalf of the Government said that the Government did not wish to take part in the debate. The Government desired to know the opinion of the House, before

the Government themselves came to a decision on the several points raised in the debate.

Dr. P. Subbaroyan, replying expressed his gratitude to the members for the way they had received practically unanimously welcoming it. He was glad of the neutral attitude taken by the Government. The transferred half who administered the Religious Endowments Act could do a great deal by introducing a bill amending section 40 of the Act which now was said to be the sole obstacle in the way of the admission of Adi-Dravidas into temples.

At 10 minutes to 5 the resolution on Temple-entry was put to vote and declared carried by 56 votes. 19 members including the Executive Councillors, Ministers and the nominated Government members remained neutral.

The following resolutions were discussed at the sitting of the 1st November.

Pandit Ganala Ramamurti moved the following resolution:—

"This Council recommends to the Government that the names of the communities now recorded as Kammalans, Kamsalins and Thattans be hereafter entered in Government records as Viswa Brahmans with the suffix of 'Achariyar Avergal' or 'Acharyulu Garu' to the names of the Tamil and Telugu Members, respectively, and the honorific prefix of 'Brahmasri' instead of 'M. R. Ry.' according to the prevailing custom except in cases where a desire in writing is definitely expressed otherwise."

The resolution was passed after some discussion.

The following resolution as moved by Mr. V. Munuswami Pillai was also passed after some discussion:—

"This Council recommends to the Government to appoint a committee of both officials and non-officials not exceeding five in number to enquire into and report on the alleged atrocities committed by the Nattars of Devakottai sub division of the Ramnad district on the Depressed Classes in June and July 1932."

The speaker said that himself and Mr. D. Thomas had the instance of the Home Member who proceeded to the spot and submitted a big report on specific cases of "atrocities" committed against the Adi-Dravidas. The Government, he said, was not even "courteous enough" to acknowledge the work. The time had come, he said, when a committee of enquiry was quite necessary, considering the extremity to which Depressed Classes were reduced in these areas because of the oppression of the Nattars.

SECOND CHAMBER FOR MADRAS

On the 8th November, the Hon. Sir Archibald Campbell moved the motion relating to the establishment of a Second Chamber in any future constitution for the Madras province. The motion ran as follows:—

"That paragraphs 376 to 385 of the Report of the Indian Franchise Committee relating to the establishment of a Second Chamber be taken into consideration in their special application to the conditions of this Province."

The Hon. Member said:—

"The object of this motion is to raise a debate on the question whether a Second Chamber should form part of the future constitution of this province. His Majesty's Government would like to have an expression of non-official opinion on this subject but I desire to make it clear that His Majesty's Government cannot regard themselves as bound to accept any resolution which may be passed in this House in the course of this debate. Any resolution passed, together with copies of the proceedings of the debate, will be forwarded to the Government of India for submission to the Secretary of State and no doubt the views expressed will receive the most careful consideration at the hands of His Majesty's Government.

The Indian Franchise Committee has summarised the opinions expressed by the Statutory Commission, the Indian Central Committee and the provincial committees which sat with the Statutory Commission of the provincial constitution sub-committee of the Round Table Conference and of the provincial Governments; the Indian Franchise Committee has also summarised the arguments in favour of and against a Second Chamber and has finally refrained from making any proposal on the subject. It mill be seen that the Statutory Commission, the Indian Central Committee and the provincial committees were divided on the subject. Originally only three provincial Governments were in favour of the establishment of a Second Chamber, namely, Bengal, United Provinces and Bihar and Orissa. Later, however, the provincial Governments and the Franchise Committees of Madras, Bombay, and Assam also expressed themselves in favour of a Second Chamber. The latest recommendation of the Madras Government was that there should be a Second Chamber of about a quarter of the strength of the Lower Chamber but the Government were divided as to its constitution, some members of the Government being in favour of all the members of the Upper Chamber being elected by a limited electorate on a high franchise qualification while others favoured a proposal under which some of the members would be elected and some would be nominated by the Governor from among persons possessing administrative experience, the number of nominated members to be less than the number elected; the main object in view was to provide an effective check on ill-considered and hasty legislation "

At this point the Hon Member described at length the necessity, importance, advantages and disadvantages of a Second Chamber by referring to the constitutions of the various countries of the world. He added:

"In supporting any amendments against the establishment of a Second Chamber, it will be useful if Hon. Members will state how the functions and duties which a Second Chamber is usually expected to discharge and to which I have referred already will be carried out if there is no Second Chamber. The most important of these are perhaps the protection of minorities and the check on hasty and unjust legislation in the Lower House or on legislation which may not be really in accordance with the desires of a majority of the people; the Lower House may get out of touch with the electorate when it has been in existence for some time; the issues which are prominent at a general election will probably be dealt with during the first year after the election and the Lower House, dominated by the party in power or perhaps by a majority of that party in the House, will then proceed with measures which were not prominently before the electorate at the time of the general election."

OPPOSITION

Dr P. Subbaroyan moved that the following amendment be added at the end of the resolution:—

"And on such consideration this Council is of opinion that the constitution of a Second Chamber for this Province is unnecessary and undesirable."

In the recommendations made by this Government some time back, the mover said, the Government had recommended for a single legislature when the province would have an autonomous government. The reason that actuated them to make that recommendation was that in the lower chamber, representation of all communities would be found. The Simon Commission did not arrive at any conclusion on this subject and left it vaguely by putting forward the arguments in favour of and against the Second Chamber. During the session of the First Round Table Conference, it was recommended that

there were certain provinces which favoured a second chamber and for them such a legislature might be necessary. So far as the legislature was concerned this was the first time that they were going to consider the question whether there was any necessity for a second chamber or not. The Franchise Committee had put forward arguments against a Second Chamber in section 384 of the report, with which he entirely agreed. The report stated that wide public opinion was against it; it was intended more for the privileged classes than for the political advancement of the people at large; it would aggravate discontent and that the establishment of a Second Chamber would be expensive. It would not be a step leading to the political appeasement of the people.

Further let them consider also the functions which would have to be considered by an autonomous provincial government. They would not be called upon to consider questions of exchange, the army, the foreign policy or questions relating to tariff. In their legislatures they would be dealing with everyday work of the people at large. They would be impeding only the work of such a legislature by the establishment of a second chamber. It would not be conducive to good government. It was not wise to saddle the provincial legislature with a Second Chamber. The Finance Committee (Percy Committee) had stated that they would not have a great deal of money left for the Government of this province. When such was the case where was the necessity for a second chamber? He knew that the Madras Government in their recommendations to the Franchise Committee had stated that as there would be an extension of franchise, there would be need for a second chamber. They had recommended that the franchise might not be lowered. Even if the electorate was enlarged, its mentality would remain the same. They were not going to be less democratic. The argument that they would not find enough material for a Second Chamber would hold good, even if there was an extension of franchise. Taking the whole question, he would say that a second chamber was unnecessary and undesirable. He would appeal to the Hon. members of the House not to bring a second chamber that would lead to class war.

Mr. Yakub Hassan, seconding the amendment said that it would only be a check on all progressive legislation. It was said it would be partly elected and partly nominated. Nomination was a very undesirable thing to have. In this House, their experience had shown how, on account of the existence of the nominated block, which always backed the party in power, they were handicapped very much. The bringing into existence of a Second Chamber representing the wealthy classes together with the nominated block and the right of veto being vested in the Governor was calculated to put a great obstacle in the way of all progress. Besides the representatives of the minorities in the Lower House would be checked by the members of that minority in the Upper House who might always stand by the Government.

Mr. Swami Venkatachalam Chetti said that the history of Second Chambers went to show that they were of secondary importance. Having regard to the fact that the powers to be conferred on the provinces were still unknown, it seemed to him to be unnecessarily encumbering even the small powers that were likely to be vested with the future provincial government, to now vote of a Second Chamber.

Mr. A. Ranganatha Mudaliar said that there was no second opinion to the one expressed in the amendment of Dr. P. Subbaroyan. It was said that illiteracy of the voters and their alleged inability to estimate the merits of candidates were some difficulties. But he would contend that if it should come to a matter of estimating the merits of candidates and the power of forming a judgment or expressing it, the illiterate voters did not in any

way suffer by comparison with their literate brthren. Another argument in favour of a Second Chamber was that with the enlarged franchise, they might not be able to get to the Lower House people of experience and expert knowledge. But were not all interests, title-holders, Zamindars and retired officials represented in the present Council ? As Mr. Venkatachalam Chetti had put it, the new Council would be but an enlarged edition of the present Council and they might be sure that whatever interests should find representation, would find adequate representation.

Mr. W. K. M. Langley, in opposing the amendment, said that at the time the provincial committees' report was discussed in the Council, his community (the Europeans) were opposed to the creation of a Second Chamber in this province. At that time his group was very strongly opposed to any increase in the existing franchise. But the Franchise Committee had decided that the franchise was to be widely extended and materially increased. In the opinion of his group this had altered the position. They were going to have a very wide franchise. Until some parties had been formed on well-defined principles and programme, such as the great parties that one was familiar with in other countries, he ventured to think that it would be extremely difficult for men of standing and power to get elected through the general electorate. In other countries there were Second Chambers. in the mother of Parliaments there was the House of Lords, which, though some were saying, had outlived its usefulness, had never been so useful, so strong and had shown so much wealth of ability in dealing with great problems as it at present was doing. It would also be a check on the lower House, otherwise the Governor would have to exercise his vetoing powers.

Mr. T. A. Ramalinga Chetti supporting the motion of Dr. Subbaroyan said that the mover of the main motion, the Hon. Sir Archbald Campbell, had said that the object of the motion was to elicit non-official opinion on the subject. The speaker said that non-official opinion all over the country was only in favour of unicameral legislatures, at any rate so far as the provinces were concerned. The Assembly, even without Congress members on it, had expressed this opinion; the All Parties Conference also had unanimously come to this conclusion; the Madras Provincial Committee also was opposed to second chambers and it was only by a snatch vote, taken during the absence of these opponents of Second Chamber, that the committee's support was got in support of a second chamber. It was therefore quite clear that not only in Madras but all over the country, non-official opinion was against establishment of second chambers in the provinces.

Mr. F. Birley in opposing the amendment said the federal units in other countries had to a great extent considered a Second Chamber desirable. But he desired to consider the question on its own merits. His own views were those of a democrat, a cautious democrat. Public opinion on this question, he said was divided. He was a pessimist and he was of opinion that a Second Chamber was necessary in the interests of the property of the country especially when they were aiming at adult franchise. There must be a special electorate for the Second Chamber, an electorate with a high franchise qualification. The qualification should be based largely on experience, integrity, and proved service to the country in various walks of life.

Mr. P. Khallifullah supported the constitution of a second chamber for this province. In the Second Chamber, he said, that all the minority communities should have special representation—not only such minority communities as Muslims and Christians but minority group in the major communities.

There were, if he might say so, oppressed classes, besides depressed classes in the Hindu community itself.

Mr. T. C. Srinivasa Iyengar said that the unicameral legislature of this country would be a replica of the various communities of which the Indian nation was formed. If certain communities or interests felt that they failed to secure adequate representation in that legislature, the remedy would be to redress that grievance by altering the proportion or adding a few more seats to the total number without disturbing the proportion and not by introducing the communal element elsewhere and also have two sets of legislature.

After a long discussion, the amendment of Dr. P. Subbaroyan was put to the vote and declared carried.

ADJOURNMENT MOTION ON WATER RATES

On the 9th November, Mr. K. Sivasubramania Aiyar moved in the Legislative Council, "That the business of this Council do stand adjourned for the purpose of discussing an urgent matter of public importance, viz., the publication of G. O. 1853 Revenue dated the 5th September 1932 levying water cess rates at very high rates for the irrigation of Tanjore district."

The mover said that in fixing the new rates of water cess the Mettur Project had been considered as a purely productive scheme. When they looked at the views expressed by the Government at the time the project was launched, the House would see that the Government stated that the object of the scheme was essentially to promote a steady water supply in the Cauvery deltaic tracts and to supply water to dry lands as far as possible. It was intended to better the prospects of the Kallars for whom the Government had initiated many good schemes in Madura. He would ask the Government whether it was just on the part of the Government to say now that the project was a productive one for the purpose of fixing water-rates. The principles of water-rates fixed now were not in consonance with the rates obtaining in other parts of the presidency. Nowhere the rates had exceeded Rs. 5 per acre including Godavari and Kistna delta tracts and Periar scheme. The rates obtaining there were far below the rates now fixed to be levied for Tanjore. He desired to know why this partial treatment had been accorded to his district. The conditions in his district were depressing. Paddy was selling now at an abnormally low price. The new rule 7 (c) had imposed Rs. 8-8-0 per acre for a single crop wet land in proprietory villages. If they consider the cost of cultivation which amounted to nearly Rs. 7-8-0, they would find the rates were prohibitive. So also the rates fixed for dry lands cultivation and as well as for ryotwari lands. There had been an increase of 25 per cent. in the rates for ordinary lands and this increase was inequitable and unjust. The cess for dry lands was inordinately high. There were also other inequalities. For a third crop the water charge was equally prohibitive. It came to Rs. 150 per acre for irregular irrigation.

No drainage system had been provided for till now and he would impress on the Government the necesssity to start model agricultural demonstration farms in the Government and waste lands for producing sugarcane, betel, etc., and for showing to the people the utility of raising such crops. They might thus induce people to take to cultivation of such crops. Their cause was just and he was sure that the House would support him. If the present rates were persisted in, he was afraid that the people might be driven to the necessity of organising a no-tax campaign which might lead to all sorts of complications. He would appeal to the Government not to insist on the present enhanced rates, but to modify their rules and fix reasonable rates.

Mr. A. Nadimuthu Pillai seconded the motion. He said that the new rules affected all the dry lands in the district whether in ryotwari or proprietary villages and also minor inams. They also affected wet lands in proprietary villages or minor inam wet lands in proprietary or ryotwari villages.

REVENUE MEMBER'S REPLY

The Hon'ble Sir Archibald Campbell replying said that the topic was brought before the House in 1924 by the Hon'ble Sir C. P. Ramaswami Aiyar, then Irrigation Member. A financial statement of estimate was also then placed on the table of the House, which then passed a resolution in favour of the institution of the Mettur Project. The statement and the financial forecast showed that water-rate at (Rs. 15 per acre on first crop not being a dufasal crop on ryotwari lands and Rs. 7-8-0) for the second crop on ryotwari lands and corresponding rates for inam and Zemin lands would be levied. The rate for an irrigated dufasal crop was fixed at Rs. 22-8-0. Copies of revised estimate made in 1928 together with the forecast of revenue were also placed before the House but no objection was then taken to the new rates. The rates now levied under the G.O., he said, were practically the same as those proposed on that occasion except in so far as they had included a charge for a third crop. Hitherto no third crop had been raised in the Cauvery Delta but now it was possible to raise a third crop also in future. In other parts of the presidency a charge was also being made for third crop where possibilities existed for the same. Provision was also made under the new rules for charging water cess on dry lands in the Delta because that had been the policy adopted in regard to the transfer of land from dry to wet as a result of the project being brought into force. On the other hand, he mentioned that certain concessions were also given during the first two years.

In both the financial statements, he continued certain charges were proposed in respect of inam and zemin wet lands. Hitherto no objection, he said, had been raised to this course.

The law on the point as contained in the proviso to Section 1 of the Irrigation Cess Act stated that Zemindars or Inamdars or other descriptions of landholders not holding on the ryotwari tenure would be "free of a separate charge. No cess under this act shall be imposed for water supplied to the extent of this right...." The justification for the present charge was that a better supply of water than was hitherto available was being afforded to them. Objection was raised to raising the rates for percolation from Rs. 8 to Rs. 10. This increase, he said, would necessarily follow the other increases which had been found necessary in order to make the project a remunerative one.

Dealing with the objection raised to the charging of Rs. 150 per acre in cases of unauthorised irrigation, he said that under the agreement entered into by the Madras Government with the Mysore State, the Madras Government was bound to see that the area of 310,000 acres to be irrigated under the Project was not exceeded. The Government had therefore to be extremely careful to see that this limit was not exceeded at the cost of being charged with a breach of the agreement. That was really why they had to provide for a heavy charge in cases of unauthorised irrigation. In 1924 when the estimates for the project came before the House for sanction, Mr. P. S. Rajappa then representing Tanjore said that the ryots were prepared to pay Rs. 15 or even more under existing conditions. No doubt conditions were not the same now. But they had brought some new channels which meant that water had been brought nearer. He was told that mirasdars of Trichinopoly were prepared to pay Rs. 16 or Rs. 19 an acre if water from

Mettur would be allowed to them. Rs. 15 he thought was not excessive. These charges were based on rates calculated to bring in the required interest on the capital expenditure. If these were reduced, then the cost of the project must fall on the rest of the presidency to the extent to which interest thereon was not made up by receipts from the areas served.

The mover of the resolution, proceeded Sir Archibald Compbell, had remarked that no drainage facilities were provided in the new ayacut. This was true to a very large extent. This had been pointed out to the Chief Engineer for Irrigation more than once and that officer had assured them that having regard to the undulating nature of the area, no drainage works were necessary on the same scale as in the Godavari or Kistna Delta where the country was flat. He also stated that the streams were adequate to carry the water and they were not going to use the drainage channels as irrigation canals, as was the case in the Delta. The Government, he said answering another point raised in the debate, were considering suggestions for opening agricultural demonstration farms in the new area.

The draft rules were originally published in June 1931. It was quite true that the final-rules were not published till September this year but any how the ryots had had ample warning that these rules were likely to be brought into force during the current fasli. They had to bring them into force this year because they had already supplied Mettur Water through some of the channels under what was known as the Vadavar Extension Canals. It was therefore only right that the new rates should be brought into force this year. The rules as they stand were to apply also the new water-rates to certain areas in the old Delta. It was proposed to put an increased cess here in view of the more regular supply and the protection from floods that would be afforded by the Mettur Project. Government were now looking into the question and considering whether they would be justified in makikng such a charge in the current on the basis that the Mettur dam would be acting as a flood moderator. If it was found that the dam did no act as a flood moderator, then Government would amend the rules and see that the new rates were not put on the Delta except to the extent that new areas were brought under cultivation under the project.

Mr. G. Ranganatha Mudaliar of Tanjore in supporting the motion repeated the arguments of the mover.

The main motion was next put to the House and carried, without a division.

INTERPELLATIONS

OCTOBER 31, 1932

ALLEGED POLICE EXCESSES

Q.—Mr. A. B. Shetty: Will the Hon. the Home Member be pleased to state—(a) in which districts representations have been made to the Government regarding police excesses in dealing with Congress volunteers; (b) in how many of these cases Government have held enquiries; and (c) what the result of the enquiry has been in each such ease?

A.—(a) Eleven such representations have been received in all from the following districts: —Madras, Ramnad, Kistna, Madura, Malabar, South Kanara, Tinnevelly and East Godavari; (b) two are under the consideration of the Government. Of the remaining nine, seven have been enquired into; (c) the allegations have been found to be either false or highly exaggerated in all cases but two into which departmental enquiry has been ordered.

AMOUNTS PAID TO BUY OFF THE PYKARA AREA

Q.—Mr. Abdul Hameed Khan: Will the Hon. the Law Member be pleased to state—(a) what amounts have been paid by the Government to various European concerns to buy off the Pykara area; and (b) what the interests so bought off up to date are and at what cost?

A.—(a) and (b) The Hon. Member's question is not clear. If he refers to the rights which were once granted to certain private parties to develop electric power from the waters of the Pykara and which rights the Government repurchased, the answer is: Messrs. B. D. Richards and Alfred Dickinson, London, on behalf of a syndicate formed of themselves and Messrs. Balfour Beatty and Company, Limited, London, and The General Electric Company, Limited, London, held, under a concession granted to them by the Government in 1922, an exclusive right to the use of waters of the Pykara and Avrihalla rivers in the Nilgiris for developing electric power for industrial purposes. In 1925 the concession was repurchased by Government from the parties for a sum of £10,000 in pursuance of the policy decided upon by the Government that all hydro-electric projects should, as far as possible, be worked as State undertakings. It may be added that this sum was voted by the Legislative Council at its meeting held on the 18th December 1925.

Mr. C. S. Ratnasabapati Mudaliar enquired whether Government had given any undertaking to purchase all the materials through the Power Securities Corporation, in addition to having paid them £10,000.

The Hon'ble Sir M Krishnan Nair That has nothing to do with this question. The Power Securities Corporation has nothing to do with this question.

COMMISSION PAID TO THE PYKARA SUPPLY COMPANY, LIMITED

Q.—Mr. Abdul Hameed Khan: Will the Hon. the Law Member be pleased to state—(a) what the total amount paid to the Pykara Supply Company, Limited, as commission or otherwise is since the commencement of the Pykara scheme up to 31st March 1932; and (b) what proportion this amount bears to the total capital expended on the Pykara construction?

A.- (a) By 'the Pykara Supply Company' the Hon Member apparently refers to the Power Securities Corporation. A sum of Rs. 4,00,570 has been paid to it up to 31st March 1932; (b) about 4 54 per cent.

Mr. C. S. Ratnasabapati Mudaliar: What was the need to pay a Commission of Rs. 4,00,570 to the Power Securities Corporation?

The Hon'ble Sir M. Krishna Nair: A contract has been entered into with that Company by the Government in accordance with which they have to perform certain duties for which they are paid a certain Commission.

Q.—Are Government purchasing articles by calling for tenders and accepting the lowest one?

A.—The Company are required to purchase the materials at the lowest possible price for the Government.

NOVEMBER 1, 1932

MADRAS SERVICES COMMISSION EXAMINATIONS

Q.—Mr. A. Ranganatha Mudaliar: Will the Hon'ble the Member for Revenue be pleased to state—(a) whether every candidate who applies for the Madras Public Services Commission examination has to send along with the application a medical certificate of physical fitness and if so, the number

of applications received during the year ending 31st March 1932 and the number of applicants actually entertained in the service during the year 1930-31; and (b) the average number of vacancies that generally arise in a year?

A.—(a) Examinations are held only for recruitment to clerical posts and to Assistant Surgeon's posts. Every candidate for admission to these examinations has to send a medical certificate. In all 3,262 applications were received during the year ending the 31st March, 1932. The first examinations were held for clerical posts in March, 1931 and for Assistant Surgeon's posts after the close of 1930-31 and the results of the examinations for clerical posts were published in July, 1931.

(b) The number of anticipated vacancies of clerkships, etc. (Madras Ministerial Service) was 1,750 in 1931 and 763 in 1932. Owing to retrenchment no vacancies necessitating any examination are expected to arise in the Assistant Surgeon's posts.

TREATMENT OF CIVIL DISOBEDIENCE PRISONERS

Q: Mr. Abdul Hameed Khan: Will the Hon. the Law Member be pleased to state—

(a) whether at the Conference of Collectors held on 18th May, 1932, the question of discipline among Civil Disobedience prisoners was discussed;

(b) whether any proposal was made at the meeting to take special measures against this class of prisoners;

(c) whether any decision was arrived at in regard to this question and what the decision was;

(d) whether any order has been issued by the Government to the Inspector-General of Prisons on the basis of this decision ordering that no discrimination should be made in favour of civil disobedience prisoners and whether the Government will be pleased to place the text of the order on the table;

(e) whether any order has been issued by the Inspector-General of Prisons to Superintendents of Jails stating that A and B class prisoners should be "kept in their place and dealt with grimly;" and

(f) whether the Government will be pleased to place on the table the orders issued by the Government and the Inspector-General of Prisons regarding the treatment of civil disobedience prisoners?

A: (a) Yes.

(b), (c) and (d) No special measures against prisoners convicted of offences connected with the civil disobedience movement were contemplated. Orders have been issued by the Government that the rules in the Jail Manual for the enforcement of discipline which apply to all prisoners should be observed without discrimination. The Government are not prepared to place a copy of the order on the table.

(e) The Government have no information.

(f) No.

Answers a question put by Mr. Hamid Khan, the Hon. Sir M. Krishnan Nair stated that the decision was that no discrimination must be made between the civil disobedience prisoners and other classes of prisoners.

MAPPILLA STATE PRISONERS

Q.—B. Pocker Sahib Bahadur: Will the Hon. the Law Member be pleased to state—(a) the number of Mappilla State prisoners confined under he State Prisoners Regulation or Mappilla Outrages Act in connection with the Malabar Rebellion of 1921 and who have been released since 31st March, 1931, up till 30th June, 1932; and (b) the number of such State prisoners who

are still undergoing confinement in connection with offences connected with the Malabar Rebellion of 1921, stating the number of persons confined in each of the jails or in each of the cities where they are confined ?

A.—(a) The number of Mappilla State prisoners confined under the Madras State Prisoners Regulation II of 1819 and the Mappilla Outrages Act 1859, in connection with the Malabar Rebellion of 1921, who have been released since 31st March, 1931, up to 30th June, 1932, is 174. (b) A statement is laid on the table of the House.

MALABAR DISTRICT BOARD

Q: B. Pocker Sahib Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—(a) whether it is a fact that the Malabar Disrict Board by virtue of its having taken up the administration of the Chirakkal Taluk Board is liable to pay a sum of Rs. 8,000 and Rs. 13,000 to the Municipal Councils of Cannanore and Tellicherry, respectively; (b) whether it is a fact that the Government issued orders Ms. No. 1842, P. H., dated 28th July, 1930, in accordance with the recommendation of the Inspector of Local Boards after local enquiry that the District Board should pay the said amounts to the respective Municipal Councils; (c) whether it is a fact that the Government have subsequently issued order Ms. No. 2022, P. H., dated 22nd October, 1931, directing that the said amount should be written oft; and if so, what the reasons are which made the Government issue the subsequent order in contravention of its own previous order; (d) whether it is a fact that the said liabilities were fixed and accepted at a joint meeting of the local bodies concerned presided over by the Inspector of Local Boards and Panchayats; (e) whether proposals have been made by the said municipal councils offering to receive the said dues by easy instalments from the Malabar District Board instead of in a lump sum; and (f) if so, whether the Government propose to reconsider its latest order ?

A: No. Section 6 (2) of the Madras Local Boards Act, 1920, as it stood before it was amended by the Madras Local Boards (Amendment) Act, 1930 (Madras Act XI of 1930), did not impose any liability on the District Board to pay from its own funds any liabilities of the Taluk Board which had been abolished. The Taluk Board was bankrupt when it was abolished and there were no assets of the Taluk Board from which the liability could be met. (b) No. The municipal councils were informed that they should address the President, District Board, Malabar, for the payment of the arrears of contribution due to them from the Chirakkal Taluk Board. (c) Yes. The reasons are given in the answer to clause (a); (d) joint committees of representatives of the Taluk Board and the municipal councils decided in 1928 that the Board should pay the following contributions to the two municipal councils for the periods from 1926-27 to 30th April, 1928:—Cannanore Municipal Council—Rs. 7,287-7-2; Tellicherry Municipal Council—Rs. 13,664 plus interest at 6 per cent. per annum.

The Inspector of Municipal Councils and Local Boards was not present at the meetings. The principles on which the rates of contributions should be fixed were settled in 1925 at Joint Committee meetings of the local bodies at which the Inspector of Municipal Councils and Local Boards was present. (e) and (f) No. No resolutions of the municipal councils in regard to recovery of dues from the District Board in easy instalments have been received by the Government.

MAHOMEDAN MIDDLE SCHOOL

Q: Mr. A. Ranganatha Mudaliar: Will the Hon. the Minister for Local Self-Government be pleased to state—(a) whether, during the last six years, various District Educational Officers recommended the closure of the Maho-

medan Middle School, Nandyal Municipality, and if so, for what reasons, and how many of the recommending officers were Mahomedans; and (b) whether the schools was closed as recommended by the District Educational Officer, and if so, when, and if not, why not ?

A: (a) and (b) No District Educational Officer recommended the closure of the school during the last six years. They all, however, commented adversely on its working because of its poor strength and accommodation, the lack of enthusiasm of its staff and the indifference of the public to it.

ELEMENTARY EDUCATION FUND

Q: Diwan Bahadur C. S. Ratnasabapati Mudaliar: Will the Hon. the Minister for Local Self-Government be pleased to state— (a) whether any portion of the elementary education fund of the Erode Municipal Council has been diverted for general purposes; (b) if so, in which year the diversion was made; (c) whether the general fund balance will permit of the repayment of the sum to the elementary education fund; and (d) whether the Chairman, Municipal Council Erode has addressed the Government to condone the diversion of the elementary education fund for general purpose ?

A: (a) Yes: Rs. 17,800; (b) In 1928-29 and 1929-30; (c) Yes: in instalments; (d) Yes.

MUSLIM WAKFS

Q: S. M. K. Beyabani Sahib Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to place on the table—(a) the list of Muslim wakfs in the Presidency with the names of the managers and the locality of the wakfs properties that are now in existence; and (b) the list of Muslim wakfs properties in the Presidency from the year 1860 with the names of original managers and their localities and also the names of the present enjoyers of the same ?

A: (a) and (b) A list containing such information as is available is placed in the Council library. The Government have no further information.

A number of supplemental questions were put to ask the Government to have a thorough enquiry made, as the list was incomplete.

The Chief Minister stated in reply, that the information available had been placed in possession of the member. If it was considered to be incomplete, it was up to those interested to have private enquiries made with a view to supplement the information.

CO-OPERATIVE DEPARTMENT

Q: Mr. Basheer Ahmed Sayeed: Will the Hon. the Minister for Public Works be pleased to state—(a) the number of senior and junior inspectors in the Co-operative Department on the 30th June, 1932; (b) the number of senior inspectors who are (i) acting, (ii) permanent and (iii) temporary; (c) the number of junior inspectors who are (i) acting, (ii) permanent and (iii) temporary; and (d) the number of Muslim senior and junior inspectors and the nature of the appointment each one of them holds as on the 30th of June 1932 ?

A: (a) Sanctioned strength on 30th June 1932—Senior Inspectors: Permanent 35; temporary 28; total 63. Junior Inspectors: Permanent 319; temporary 289; total 608. (b) Total number of men on duty including those acting in leave vacancies and vacancies caused by promotion or deputation on foreign service—Senior Inspectors: Acting 32; permanent 12; temporary 19. (c) Total number of men on duty including those acting in leave vacancies and vacancies caused by promotion or deputation on foreign service—Junior Inspectors: Acting 95; permanent 232; temporary 281. (d) Senior Inspectors: Permanent 1; temporary 0; acting 1. Junior Inspectors: Permanent 8; temporary 8; acting 8.

STUDENTS AND POLITICS IN MANGALORE COLLEGE

Q: Mr. U. C. Subramanya Bhatt: Will the Hon. the Minister for Education and Excise be pleased to state—(a) whether it is a fact that the Principal of the Government College, Mangalore, insists upon the students newly admitted to give an undertaking not to take part in politics; if so, whether the Hon. Minister will be pleased to state whether previous sanction of the Director of Public Instruction or the Government was taken before introducing the new rule; (b) in how many other Government Colleges in this Presidency are such written undertakings taken or whether this is the only College; (c) whether only national political activities are forbidden or whether the prohibition includes non-national political activities also; and (d) what the number is of students that applied for admission to the Intermediate class this year and how many were admitted, and what are the corresponding numbers for the previous year ?

A: (a) and (c) Applicants for admission to the Government College, Mangalore, had to give the following undertaking:—"I promise not to take part in political agitation of any kind nor to join any demonstration made as a protest against the action or policy of Government."

No previous sanction is required; under rule 93 of the Madras Educational Rules. Principals of Colleges are competent to forbid students to take part in any public movement with which it is undesirable that persons in *Statu pupillari* should be associated. (b) None. (d) Number that applied in 1931, 93; in 1932, 90; Number admitted in 1931, 92; in 1932, 90.

NOVEMBER 3, 1932

TEMPERANCE PROPAGANDA

Q.—Mr. A. B. Shetty: Will the hon. the Minister for Local Self-Government be pleased to state—(a) whether any grants have been paid this year to non-official organisations for temperance propaganda and if so, what the amount is; (b) the names of the organisations which have been helped with grants till now; (c) whether any conditions have been prescribed governing the sanction of such grants; (d) what steps are taken to see that the grants are properly utilised; and (e) whether proposals for counter-attractions can come under the scope of these grants ?

A.—(a) and (b) A statement showing the names of the non-official organisations to which grants were paid in the years 1929-30, 1930-31 and 1931-32 and those to which grants are proposed to be paid in the current year together with the amount of the grants is appended. (c) and (d). The conditions subject to which the grants are sanctioned are laid down in G. O. No. 126, P. H., dated 19th January, 1932, a copy of which is appended. These conditions are considered sufficient to ensure that the grants are properly utilised. (e) No.

LIQUIDATION OF CO-OPERATIVE SOCIETIES DURING 1928-31

Q.—Mr. A. Ranganatha Mudaliar: Will the Hon. the Minister for Public Works be pleased to state for each of the years 1928 to 1931 (both inclusive)—(a) the number of co-operative societies liquidated; (b) the assets taken charge of by the liquidators; (c) the sums actually collected and written off respectively with reference to the above societies; and (d) the number of co-operative credit societies organised and registered ?

A.—(a) 1928-1929—150; 1929-1930—383; 1930-1931—516; 1931-1932—629. (b) 1928-1929—Rs. 4,67,986; 1929-1930—Rs. 8,35,059; 1930-1931—Rs. 4,33,455; 1931-1932—Rs. 18,11,029. (c) 1928-1929—Rs. 58,858; 1929-1930—Rs. 86,120; 1930-1931—Rs. 1,30,992; 1931-1932—Rs. 2,50,222. These figures include the

assets written off as irrecoverable for which separate figures are not readily available. (d) 1928-1929—726; 1929-1930—534; 1930-1931—320; 1931-1932—127.

REVISION OF THE SALARIES OF THE NON-GAZETTED SERVICES

Q.—Mr. P. Bayappa Reddi: Will the Hon. the Member for Finance be pleased to state—(a) whether the Madras Retrenchment Committee, which considered the question of proposing reduced scales for public servants made any investigation with reference to non-gazetted officers and with what result; (b) if not, what the basis is for the Madras Retrenchment Committee's recommendation to reduce the scales of pay, which is said to be under the consideration of the Government; and (c) whether the resolutions passed by the convention of service associations of non-gazetted officers at Madras on 25th September, 1932 have been received by the Government and, if so, whether any action has been taken thereon ?

UTILISATION OF THE EXCESS REVENUES

Mr. T. S. Ramaswami Aiyar: Will the Hon. the Member for Finance be pleased to state: (a) whether it is a fact that a surplus of over 60 lakhs of rupees is expected in the actual revenues of the current year over the budget estimates; (b) what are the Government's proposals regarding the utilization of this surplus; (c) whether the Government will give the Legislative Council an opportunity of discussing the proposals before any portion of the amount is spent; (d) whether any portion of the surplus is to be utilised for the reduction of the incidence of land tax in this province; (e) whether it is a fact that prices of agricultural produce have fallen much below the average level of prices which was taken as the basis for fixing the rates of land tax at the settlement; (f) for how many years the prices have been at this low level; and (g) whether the Government are proposing to give any relief to the Agriculturists in regard to land tax and if so to what extent?

(a) Yes. (b) A portion will be utilised for meeting demands for supplementary grants. The utilisation of the remainder is under the consideration of Government; (c) The Council will have an opportunity to discuss the proposals so far formulated when demands for supplementary grants of which notice has already been given are moved in the Council. A further opportunity will occur if further demands for supplementary grants are moved; (d) and (g). No such proposals is before the Government; and (e) and (f). The Government have at such short notice been able only to compare the price in 12 districts of 2nd sort paddy for September, 1932 with the prices on which the current settlement of wet rates in those districts was based, i.e.; the prices as worked out at the previous settlement plus the percentage imposed at the current settlement. In no case is the price in September 1932 below the prices on which the current settlement is based.

NOVEMBER 4, 1932

RELIEF OF THE UNEMPLOYMENT

Mr. U. C. Subrahmanya Bhatt: Will the Hon. the Home Member be pleased to state whether the Government have taken or intend to take any steps to eradicate the evil of educated unemployment in the two West Coast districts which, according to their Press Communique No. 30/32, is the cause of the spread of the civil disobedience movement in those districts; if so, what the steps are that they intend to take or have taken ?

A.—The attention of the Hon. Member is invited to the answer given to question No. 662 on the 19th March, 1931 at pages 373-375 of the proceedings of the Legislative Council, Volume LVI, No. 6, regarding the action taken

by the Government on the recommendations of the Unemployment Committee. As regards recommendations Nos. 24 and 28 which were pending in 1931, the committee appointed by the Director of Public Instruction recommended that the elements of agriculture might be taught in select higher elementary and middle schools with the aid of school gardens. In order to supply the teachers necessary for these classes it is proposed to open two training centres in agriculture in existing training schools—one for the Kanares and Telugu districts and the other for Tamil and Malayalam districts. The Director of Public Instruction has been asked to formulate detailed proposals to give effect to this scheme and his proposals are awaited.

EXCESS OF EXCISE REVENUE IN 1932-33

Q: Mr. A. Ranganatha Mudaliar: Will the Hon. the Minister for Education and Excise be pleased to state the increase in the total rentals of toddy shops sold for 1932-33, over the figures of the current year and the reasons for it?

A: The rentals for which the lease of toddy shops for 1932-33 has been sold show an increase of Rs. 42,47,625 (or 51 per cent) over the rentals of the previous lease. The increase is attributed mainly to keen competition among intending bidders on account of the sense of security engendered by the measures taken to prevent picketing, and on account of the large profits realized by the renters during the last lease which was taken on unduly low rentals. It is reported further that the slight improvement in the economic condition noticeable in certain districts has also contributed to some extent to the increase.

U. P. LEGISLATIVE COUNCIL

UNITED PROVINCES SPECIAL POWERS BILL

IN the U. P. Council, on the 5th November, President Sir Sita Ram presiding, the Finance Member introduced the United Provinces Special Powers Bill and moved its reference to a Select Committee with instructions to report by November 15 and after two full days' debate by 56 votes to 24, the Council accepted the motion of the Finance Member.

The amendment of the Leader of the Opposition, for circulating the Bill to elicit public opinion was rejected by 57 votes to 33.

OBJECTS AND REASONS

The objects and reasons for the Bill are quoted from an Extraordinary Gazette:—

Experience of the last two years has shown that the No-Rent campaign has been the most powerful weapon used by the leaders of the Civil Disobedience Movement and that there is no guarantee that this weapon will not be used in future to impose the will of the minority on the Government.

The Government of India has left it to the Local Government to introduce legislation covering the provisions of the Ordinances which were found necessary for the local conditions.

Three sections make instigation to non-payment of liabilities an offence. Another section makes it a crime to perform the ceremony of mock funeral. There are other sections making disobedience of orders punishable and giving the Government powers to deal with any concerted movement to public peace.

It is stated that it is not intended that the power will be exercised except with the above object in view.

The Bill when passed into Law will be extended to the whole of the United Provinces and will come into force immediately.

Offences under it are made cognisable and non-bailable.

The Bill came out of the Select Committee with some minor changes. The full discussion concluded on the 30th November when the Finance Member, observed that in view of the express desire of the House, the scope of the Bill would be confined to actions closely connected with the "No-rent" campaign.

On the life of the Bill, the Finance Member observed that the object of fixing three years as the duration of the Bill was that it was hoped that within this period, there could be little doubt that the new constitution would be inaugurated, and the further need for an Act of this kind would disappear. It must be recognised, continued the Finance Member, that even with the best will in the world, even if all worked the hardest, it might still be found very difficult to carry out the necessary preliminaries within the period of two years. He further said that at the present moment progress was rather at halt while the various negotiations were taking place not only in this country, but also in London. Much would depend on the result of these negotiations as to what progress would be made during the course of 1933, with very extensive changes and preparations which have to be made before the people could expect to be ready for the first election under the new constitution.

The proposals of the Lothian Committee contemplated extension of electorates from 1,006,000 voters to eight millions. Preparations of electoral

rules, arrangements for preparing electoral rolls, hearing objections, deciding on them and so forth, were bound to take a considerable time. Unless it was possible to start the work earnestly he very much doubted whether it would be possible to hold the first election in less than a year from the present date. He further said, if they failed to hold an election in next November, it would most certainly have to be postponed until the end of 1934.

Mr. Chintamani, in the course of his speech, opposing the Bill, acknowledged at once the claim of the Finance Member that the Select Committee had improved the Bill to the extent such a Bill was capable of improvement and that the objections that were urged against it on the last occasion had been slightly mitigated. But he affirmed, with same strength of conviction with which he had opposed the Bill on the last occasion, that it remained in its amended form still highly objectionable and a menace to the liberty of the subjects. The poison had been slightly diluted, but the poison remained nonetheless and in its effect it would be most unwholesome.

It was no argument that the Government had not made a very excessive use of the arbitrary powers they had taken unto themselves by that Act, in that they had allowed certain associations, for example, the Legislative Council, still to function, without their being declared unlawful Actually the amount of use made of that section between the year when the Bill was passed, namely, December 1908 and now had, in many cases, been highly objectionable.

Every single association in the country, in accordance with the definition of an "unlawful association" contained in the Act in question was existing at the sufferance of the Executive. He referred to the words "any act done" and said that, during the present year, the Government had declared a number of Congress associations unlawful. Khaddar stores were closed and so were the Swadeshi exhibition and the Congress hospital, because they were run by an Association declared unlawful The liberty that was enjoyed by the subject depended upon who the District Magistrate was and in what mood he was at a particular moment and not upon the fact that the activities of the subject were lawful in themselves and therefore he had the right to continue to exercise them.

Mr. Bomford, Chief Secretary to the Government said that they had heard a good deal about liberty. Although no one had attempted to define that term, it seemed to him that the liberty of which they had heard so much was the off-spring of lawlessness and licence. He could not help thinking that there was a great deal of hollowness in the arguments about liberty and that they were simply introduced to cloud the issue. The debate showed very clearly that this House had absolutely no doubt about the necessity of empowering District Magistrates to deal with "no-rent" agitations. The clause under discussion took the place of the preventive measures of the Criminal Procedure Code and he had yet to learn that those preventive measures of the Code were unnecessary. It was surely obvious to the meanest intelligence that no Government would declare any association unlawful, unless it was guilty of encouraging or inciting persons to commit acts of violence. This Government had never declared any such association unlawful.

NON-OFFICIAL RESOLUTIONS

THE QUESTION OF UNEMPLOYMENT

The U. P. Council accepted on the 4th November, a non-official resolution recommending the appointment of a Committee to go into the question of unemployment. There was no dissentient.

The Minister in charge of the Industries Department, speaking on behalf of the Government, said that he was fully aware of the immensity of the problem, and had every sympathy with the object of the resolution. He however, felt that the proposed Committee would serve no useful purpose. The Government were doing everything departmentally to tackle the problem.

FEDERAL FINANCE COMMITTEE'S RECOMMENDATIONS.

The Council passed a resolution expressing the opinion that the recommendations of the Federal Finance Committee to revive provincial contributions to the Central Government were unacceptable.

SUPERSEDING DISTRICT OR MUNICIPAL BOARD

The House, however, rejected, by a large majority, the resolution urging the Government not to supersede any District or Municipal Board without first making a reference to the Local Boards Advisory Committee.

SEPARATE ACCOMMODATION FOR WOMEN POLITICALS

The Council recommended that in all jails in the United Provinces, separate accommodation should be provided for women convicted in connection with political activities, from that of ordinary and habitual women-criminals.

ILL-TREATMENT TO POLITICAL PRISONERS

The Council discussed on the 25th November a resolution regarding the treatment of political prisoners in various jails in U. P.

Rao Bahadur Saxena moved a resolution recommending the Government to appoint a committee consisting of two official and three non-official members of the Council to enquire into and report about the alleged ill-treatment of political prisoners. In moving this resolution he pointed out a number of cases of alleged ill-treatment of politicals.

Referring to the Benares District Jail he said that women were not allowed to have the 'kunkum' marks on their foreheads. Gita and Ramayan were not supplied to them and those who had these books had to deposit them with the jail authorities. Performance of Sandhya and recital of religious hymn meant punishments.

Mr. Blunt, Judicial Secretary opposed the resolution, on behalf of the Government, and said that the allegations were either unfounded or magnified out of all recognition. He did not deny that there had been some occurrences which the Government regretted but there was no truth in the more serious allegations that had been made.

Mr. Chintamani said that there was in fact serious ground for complaint, and there was an urgent necessity of prompt Government action for the removal of these complaints. Referring to the Judicial Secretary's remarks he said that though he had fairness to admit that there were some cases which the Government regretted, yet the number of cases for which Government had to regret was far larger than the number which they actually did regret.

The Nawab of Chhatari, the Home Member, assured the House that the policy of the Government had not been one of vindictiveness.

After a brief reply by the mover the motion was put to vote and negatived.

GOVERNMENT DEMAND FOR GRANTS

On the 26th November, the Council sat only for about forty minutes, during which time four demands for supplementary grants were voted down. No speeches were made on behalf of the non-official members of the House.

In view of this, as suggested by the President, the Finance Member intimated that he was not going to move the rest of the demands.

INTERPELLATIONS

NOVEMBER 11, 1932

PURCHASE OF NEWS

In reply to Mr. C. Y. Chintamani's questions in connection with the purchase of news by Government for officials from the news agencies, the following answers were given:

1. Government do not purchase any copies of Reuter's telegrams. They purchase 15 copies of Indian News Agency telegrams at a cost of Rs. 450 per mensem for the Governor, the members of the Executive Council and the Ministers, the President of the Legislative Council, the Secretaries to Government, the Deputy Secretary to Government, general administration and police departments, the assistant to the Publicity and Reforms Officer, and the Commissioner at Government headquarters.

2. (a) Reuter's telegrams used to be free of charge in 1921 to the Governor, the members of the Executive Council and the Ministers and the Chief Secretary. In 1922 it was proposed to charge for these telegrams and it was decided that only one copy should be purchased for the Governor's use. The average cost amounted to about Rs. 100 per mensem.

3. (b) Indian News Agency telegrams used to be purchased for the Lieutenant-Governor and the Chief Secretary at a cost of Rs. 250 per mensem for the Governor, the members of the Executive Council and the Ministers, the President of the Legislative Council, the Senior Member of the Board of Revenue and the Chief Secretary. In May 1922 the Local Government were called upon to pay transmission and redirection charges in addition. The supply of these telegrams was discontinued in February 1923. In January 1928, these telegrams were again purchased for the Governor at a cost of Rs. 250 per mensem in addition to transmission and redirection charges which averaged approximately Rs. 100 per mensem.

4. The present arrangement was made in January 1932. Reuter's telegrams were discontinued and a scheme for the early delivery by hand of 15 copies of Indian News Agency telegrams, was introduced as an experimental measure. The reason was to enable the Government to be in close and prompt touch with what is happening in the country. The additional cost of the arrangement is practically nil.

5. The present arrangement is for one year only and on expiry of that period the matter will be further considered.

PUNJAB LEGISLATIVE COUNCIL

WHEN the Punjab Legislative Council assembled on the 7th November, for the first sitting, Raja Narendranath stood up to make a statement. Sir Shahabuddin, the President, asked the Raja Sahib to sit down, as there was no motion in his name on the agenda. Thereupon, the elected Sikh and Hindu members walked out in a body. They issued to the Press, the statement which Raja Narendranath wanted to make in the House. The statement is as follows:

"Our communities have expressed their dissatisfaction at the Communal Award in the Press and from a thousand plaforms. We, who represent nearly 45 per cent. of the population of the Punjab, take this first opportunity offered to us to place on record our emphatic protest against the Communal Decision. We condemn it because:

(1) It divides the people of the Punjab into separate communal groups, thus preventing the growth of nationality and the formation of an impartial Government. (2) It places one religious community in a permanent majority, and gives it more than it asked for. The Sikhs in the Punjab have not been given the same weightage as the minorities in other provinces. and the Hindus have not been given the representation to which they are entitled on even their population basis. (3) In the awarding of weightage, it makes invidious distinctions between the various communities. (4) While in other provinces, it is the minorities who have been given protection through a separate electorate, in the Punjab it is the majority community which has been given protection through separate electorate, thus depriving other communities from having any voice in the election of candidates and the selection of the Government.

"We consider the communal decision most inequitable, as it places a single community, with a small advantage in population, in a position of permanent domination over communities which have vested interests in the province, and contribute the bulk of the revenues of the province. As a protest against this decision, we have decided to abstain from participating except on special occasions in the debates of the Council. We wish, however, to add that the decision will be rescinded if there is an agreed settlement based on well-established democratic principles.

"We do not, for the present, call upon the Minister and the Deputy President to join us in the action."

SECOND DAY'S SITTING

The proceedings of the second day's sitting consisted mainly of the voting down by the National Unionist Party, which is predominantly a Moslem party, of the supplementary demands for the Transferred Departments, in the charge of the Hindu and Sikh Ministers, in the absence of the majority of the elected Hindu and Sikh Members, followed by a speech by the Hindu Minister.

By the rejection of these demands, with a majority of one to two votes, a sum of nearly three lakhs was denied, on the ground that in the absence of Hindu and Sikh elected members, the Ministers could not continue to hold their portfolios without the assistance of the Unionist Party.

Mr. Din Mahomed, the principal spokesman of the party, said that the Hindu and Sikh Ministers were conducting their departments in a manner detrimental to Moslem interests.

Dr. Gokulchand Narang, Hindu Minister, said that he still condemned the Communal Award, with all the emphasis at his command. If that Award were included in the Government of India Act, he would not be on the Ministerial Bench

Earlier, Sardar Habibullah withdrew his cut of Rs. 50,000 in the supplementary demand for maintaing the Special Police force, formed just before the session of the All-India Congress.

Sir Henry Craig stated that of the 550 foot constables employed in the force, more than 300 were engaged in anti-terrorist activities, which consisted of guarding of officials, and their residences, and the courts and jails. The remainder of the force had been employed in checking the general outbreak of lawlessness due to the Civil Disobedience movement and communal ill will. He assured the House that if he found at the end of the year that the force could be reduced, he would be so.

DR. ALAM'S HEALTH

On the 8th November, replying to a string of questions in the Council regarding Dr. Alam's health, Sir Henry Craik, Finance Member, read the following statement:

Dr. Alam's case presented certain features, including among others, loss of weight and occasional fits of semi-consciousness, which made it desirable to remove him to the Mayo-Hospital for careful diagnosis and treatment. After his arrival in the hospital and before the diagnosis was completed, his condition was complicated by an attack of influenza, from which he was now recovered. The patient is now better in his general health. His temperature has not been above normal since the 15th of October. His appetite has improved, and he is sleeping better. But some of the symptoms which made it desirable to remove him to the hospital are still present, and it is the opinion of the doctors in charge of the case that after some preliminary treatment, an operation is advisable. Consultation took place yesterday between the physicians and surgeons in carge of the case, at which two private practitioners, for whose services Mr. Alam had asked, were present. The patient will, for the present, remain in hospital, where he is receiving every attention and the best medical treatment available."

SECOND CHAMBER—NOT FAVOURED

On the 10th November, the Punjab Council, which was thinly attended, due to the absence of the Hindu and Sikh elected members, threw out, by a large majority, the resolution moved by the Revenue Member, Capt. Sardar Sikandar Hyat Khan, recommending that the constitution of a second chamber was desirable in the Punjab.

The official members, excepting Sardar Joginder Singh who participated in the debate in his personal capacity, remained neutral.

The reasons given by the members who opposed the resolution were the need for economy and the absence of an aristocracy in the province.

Sir Jogindar Singh, Minister appealed to the House not to deal with the question on party lines, but to give full consideration to it. England, where there was democracy, was also feeling the necessity of a second chamber. The Punjab also needed one.

COMMUNALISM IN TEXT BOOKS

At the sitting of the 25th November, Mr. Ahmadyar Khan Daultana, in moving a resolution, stated that certain text-books contained statements which were the cause of communal bitterness.

Mr. Sanderson, Director of Public Instruction, speaking on the resolution, said that text-books were not so much breeders of communal ill will,

as the communal questions asked by members in the Council, the vernacular newspapers and the communally-minded teachers. If, however, people supplied cases of genuine misrepresentation in the history books, the Government would see that such portions were expunged.

Mr. Feroze Khan Noon, Minister for education, said that he would undertake to have particular complaints looked into. The resolution was withdrawn.

PUNJAB CRIMINAL LAW AMENDMENT BILL

On the 7th November, Sir Henry Craik moved the Punjab Criminal Law Amendment Bill, which gives special powers to the Punjab Government, in addition to those which would be given by a similar Bill, which was before the Assembly.

Sir Henry Craik said that the future Government in the Punjab would be confronted by revolutionary, communist, terrorist and other movements. In order to maintain law and order in those circumstances, the Government must possess special powers. At present, Punjab terrorists were better led, organised and equipped than they were at any other time within the past two years. He enumerated the acts of terrorism within the past ten months, including the armed dacoity in Lahore, the arrest of armed gangs at Jhelum and Amritsar and the bomb outrage at Ludhiana. Within the last few days, seditious literature was freely distributed in Lahore. One such poster incited the people to set fire to police stations, burn railway stations, and shoot or stab Britishers. Finally, Sir Henry Craik said that the powers sought to be obtained by the Bill should not frighten the law-abiding citizens.

Mr. Alladad Khan said that no Bill could kill terrorism. There was no civil disobedience movement in the province to necessitate such a measure.

A motion for circulation of the measure was rejected.

Mr. Chhoturam, speaking for the National Unionist Party, said that the party would give their assent to the Bill only when it was improved in the select committee.

Mr. Sadiq Hussain argued that the powers contained in the Bill were so vast that a police officer could arrest even the members of the Governor's Executive Council and keep them in lock-up for a month without any appeal. Then, what could be the fate of the ordinary citizens?

The motion to refer the Bill to a Select Committee was passed. The Select Committee report was presented on the 11th. Many modifications were made by the Select Committee, which presented a unanimous report to the House. Firstly, the life of the Bill was reduced to three years; secondly, the powers of arrest and detention of suspected persons were given only to gazetted officers; and thirdly, the penalty for disobeying orders for the control of suspected persons, was reduced to one year; 'and in the Bill, before it reached the Select Committee, it was stated "an offence punishable under this Act shall be cognisable and non-bailable," the Committee omitted the words "and non-bailable."

On the sitting of the 22nd, the House rejected all the amendments which aimed at curtailment of the powers sought to be given to the Government under the Bill.

Only one minor amendment was accepted by Government. It made clear that only those policemen could enter private premises for reporting the proceedings of meetings who had the written authority of the Government to enter such premises.

The Bill was passed easily to be in force for three years.

FRONTIER LEGISLATIVE COUNCIL

THE autumn session of the Frontier Legislative Council commenced at Peshawar on the 10th October. The Finance Member, the Hon'ble Mr. George Cunningham, introduced three bills, one of which—the General Clauses Bill—was accepted without any opposition.

The Deputy President's Salary Bill was passed after the Deputy President, Khan Bahadur Abdur Rahim, had declared that he would not draw the salary, but would work without any remuneration.

An amendment moved by Khan Abdul Ghaffur Khan fixing the salary at Rs. 250 instead of Rs. 600 per month, was rejected by the House.

The third official bill is the Frontier Tranquillity Bill, commonly known as the Ordinance Bill. A summarised proceedings of the session follow.

FRONTIER TRANQUILLITY BILL

The North West Frontier Tranquillity Bill, the statement of objects and reasons of which was published towards the beginning of October* was taken up on the 10th October, the first day of the session.

The opposition to the Bill was led by Malik Khuda Bakhsh, who deplored that such a reactionary measure, which struck at the fundamental principles of civic liberty and gave power to the Government, to do what they pleased, should be the first fruits of an alleged reformed Constitution. Before proceeding further with a Bill which was obnoxious in principle, he urged the House to throttle it at its very inception, by refusing leave to introduce it.

The House, by 19 votes to 9 however agreed to its introduction.

The Hon'ble Mr. George Cunningham, in moving for the reference of the Bill to a select committee of four, whose report should be submitted by the 14th instant, confined his remarks to the statement of objects and reasons appended to the Bill. He observed that the Government's sole aim in want-

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***STATEMENT OF OBJECTS AND REASONS**

The statement of objects and reasons attached to the Bill says: Recent events have shown that a condition may arise when the provisions of the existing law are inadequate either to check organised attempts to create disorder or to afford to the law-abiding members of society the protection they have a right to expect. It is essntial that the executive Government should have the power to prevent, if possible, the development of such disorder and to deal with it speedily, if it extends. This Bill is designed to enable the Government, if conditions so demand it, to arm themselves with the power they require. It is not the intention of the Government to use these powers except in cases of absolute necessity, or to any further extent than is imperatively called for in the interests of public peace. Their motive in introducing this legislation is in no way to interfere with the constitutional methods of advance, but solely to ensure, to the best of their ability, peace and prosperity among all sections of the population of the North-West Frontier Province.

The Bill contains thirty-eight clauses. Chapter one, states the Bill, shall come into force at once. It empowers the Local Government by a notification in the Government Gazette to enforce all or any of the remaining provisions of the Bill in the whole or any part of the Frontier Province on such a date and for such period as may be specified in the notification.

Chapter two authorizes any officer of the Government authorised in this behalf by the Local Government to arrest and detain or control suspected persons, to take possession of movable or immovable property, to prohibit or limit access to certain places, to regulate traffic and means of transport, to control arms, ammunition, etc., to require the assistance of certain person, to control Posts and Telegraphs, to regulate the use of railways and vessels, to secure reports of public meetings and to issue search warrants.

ing to arm themselves with the powers contained in the Bill was to combat the forces of disorder and to be able to accord due protection to the public.

Nawabzada Allah Nawaz Khan charged the Congress and the "Red Shirt" movements with the responsibility for the present position. He urged that there should be no circulation of the Bill, because every one at heart realised the need for these powers and circulation would only lead to further agitation, and exacerbation of feelings among people, which was undesirable.

Mr. Habibullah (Nationalist) said that the Bill reminded him of the pre-British times when the Mughal autocrats issued decrees and ukases just like the present Ordinances. But there was at least this much difference in favour of the Mughals, namely, that they took up on themselves the full responsibility for what they did, whereas in the present instance, the responsibility for the Executive ukases was sought to be thrust on the people's representatives and hence on the people themselves. In a peroration charged with mock-irony, he declared that he welcomed the Bill because it effectively exposed the hollowness of the Reforms and showed to the world that it was all camouflage. If the Government thought that by these tactics they would be able to terrorise the people into submission and to demoralise their spirit, they were doomed to disappointment.

Sardar Raja Singh said that neither in the statement of objects and reasons for in the speech of the Financial Member was there any indication that an emergency had arisen. He dwelt on the reasonableness of the circulation motion, and said that if in the interval between the lapse of the Ordinance, and the period of circulation, as emergency did arise, the Government could issue another Ordinance the power to do which they would continue to enjoy, or they could call a special session of the Council to pass the Bill.

Khan Bahadur Abdul Karim Khan, Deputy President, said that he had no sympathy with terrorists or with any subversive movements, but he could not support such a Bill at the present juncture, when in the words of Mr. Benn a gesture of peace was what was needed. He thought that the Bill was too drastic and wide in its provisions. At any rate, he could see no reason against its circulation, especially when it was clearly demonstrated by the fact of Sir Ralph Griffith's going on home leave for four months, that the Government were quite satisfied that the situation in the Frontier was easy, and that there was nothing calling for his immediate presence.

Rai Saheb Mehr Chand Khanna appealed to the Government to come to an understanding with the mover of the amendment, so that he could shorten the period of circulation.

Sections 16 to 22 of this chapter deal with the method of enforcement of order and fix the penalty for Disobedience of such orders by suspected persons at imprisonment of either description which may extend to two yarns, with or without a fine Rules are also laid down for dealing with claims for compensation, the constitution of arbitration tribunals and the delegation of the Local Government's powers to District Magistrates

Chapter three empowers the Local Government to impose a collective fine on the inhabitants of turbulent areas

Chapter four empowers the Local Government to declare a notified area and notified liabilities, and lays down six months imprisonment for unlawful instigation to non-payment of a notified liability It also deals with special rules of procedure by the courts trying offences under this chapter.

The last Chapter details the procedure of the trial of offences by courts arising out of this Bill. Under it a Sessions Judge may take cognizance of a case without commitment. The court can deal with refractory accused by dispensing with his attendance and proceeding with the trial in his absence The court can also dispense with the attendance of a legal practitioner in cases where, in the opinion of the court, adjournment would cause unreasonable delay in the disposal of a case.

All offences punishable under this Bill are cognizable and non-bailable.

The motion for circulation was lost by 20 votes to 11 and the Bill was referred to a Select Committee that presented the report in the Council on the 14th.

The Committee recommended that the Bill should not be a permanent statute but should last only for five years.

Minority suggestions included that the Bill should be only for two years, that compensation should be paid to the dependents of those who would be arrested and detained under the Act and that allowances should be adequate, and that the punishment prescribed in the case of first convictions should be one year and in the case of subsequent convictions two years.

Section 4 of the Bengal Suppression of Terrorist Outrages Act of 1932 in respect of utilisation of lands, buildings etc., for the accommodation of troops were incorporated in the Bill.

The Bill was passed on the 25th after a long and minute discussion. A summary of the main amendments and discussions on them follow.

On the first day, that is, on the 20th:

Malik Khuda Baksh moved that the Bill be circulated for eliciting public opinion thereon by March 1st 1933. He was supported by all the members of the Nationalist Party and by half a dozen other members, including Khan Bahadur Abdul Karim Khan (Deputy President), two Hindus and two Liberals.

The mover of the Bill opposed the amendment, and said that the Government's object would be defeated if they were not able to obtain the necessary powers by the time the Ordinance lapsed in January.

The Government were opposed at every step by an array of Nationalist amendments raising a debate on every possible point and consequently only three clauses were considered during the whole day's sitting . Two of these were passed by large majorities 20 votes against 9 and 25 against 11 respectively while in respect of the third the Government met the opposition half way agreeing not to vest powers in any but the gazetted officers whereas the original clauses contemplated that powers could be employed by Sub-inspectors.

At the third day's sitting, the Council disposed of 18 additional clauses. These comprised first three chapters covering most important provisions of the Act including powers to control and detain persons, regulate and employ private buildings and means of transport, control utility services, such as, posts, telegraphs, wireless, railways and other communications, enlist the service of certain persons for assistance of state in times of emergency; prescription of penalties for disobedience of preventive and other orders and procedure for their infliction and revision. In the original bill there was no provision for appeal from decision of the tribunal, but the opposition obtained this concession from the Finance member who agreed to Abdul Gaffur Khan's amendment that Judicial Commissioner shall have power to revise the tribunal in certain cases.

Mr. Cunningham accepted and agreed to incorporate in the Bill principle of daily compensation to persons such as taxi drivers and others whose conveyances and other vehicles the Government might have the occasion to seize. He similarly bowed to popular sentiment when he agreed to ensure sancity of places of worship against searches and accepted the phrase "Any place other than mosque, temple, Gurdwara or Dharmashala" which was mutually arrived at as a result of consultation on the floor of the House.

On the last day, that is, on the 25th, after adopting the remaining eleven clauses, which lay down the procedure for the trial of offences coming under this Act, the House agreed to the Bill as a whole by 27 votes to 8. The

Nationalists did not move their amendments to the preamble and title but they pressed all their other amendments to the whole of chapter on the procedure proposing deletion of a series of clauses and also adding a final clause introducing the principle of appeal. All their amendments were, however, defeated. On the only division claimed that day on the deletion of the clause reserving to Government the right of non-transfer of cases the Government had a majority of 20 votes to 7.

BILL TO SUPPRESS BROTHELS

The Frontier Council on the 12th October, discussed Pir Bakhsh's Bill to suppress Prostitution. The Bill sought to empower the municipalities of the Frontier Province to prohibit the keeping of brothels and the residence of prostitutes within their areas, failure to comply with a notice of ejection being punishable with imprisonment and a fine. It was further provided that the offence be triable summarily.

Pir Bakhsh moved for the reference of the Bill to a select committee.

Kazi Mir Ahmed, Legal Rememberancer, raised the objection that the provisions of the Bill ran counter to two all-India statutes, namely, the Criminal Procedure Code and the Evidence Act. Previous sanction under Section 80 (A) of the Government of India Act should have been taken, and as this was not done, he contended, the debate was *ultra vires*.

Pir Bakhsh tried to save his Bill by pointing out that there was a provision that the sanction of the Government of India could be obtained after the passage of such a Bill, but the President made a statement that a mistake had been committed in allowing the Bill to be introduced and that it had wrongly circulated. The debate had so far been ultra vires, and could not under the rules be continued. He therefore ruled that the Bill should be regarded as non-existent.

FRONTIER JUDICIARY RECRUITMENTS

The Frontier Council discussed on the 12th Sardar Raja Singh's resolution recommending that fifty per cent of the posts in the Judicial line should be filled from amongst the members of the Bar by open competition and the remaining fifty per cent on a communal basis.

Malik Khuda Bakhsh moved an amendment that recruitment to all the posts in the judicial line should be from the members of the Bar.

The Independent Party, who sponsored the amendment, said they were against allocation of posts on a communal basis, especially in the Judicial line, in which knowledge of law and capacity to administer it should alone be the qualification for appointment.

Malik Khuda Baksh maintained that the fixing of ratios apportioning posts in the Services, was an obnoxious principle, and this was particularly dangerous in the judicial line. Only members of the Bar who were efficient and new the law thoroughly should be recruited, without any communal considerations and keeping the highest interests of the community as a whole in view.

The Finance Member opposed the amendment, and said that separation of the Judiciary from the Executive, was not at present feasible, as the cadre of officers in the Frontier was small, and occasions might arise when it might be found necessary to transfer officers from one line to the other. He said that much as such a reform might be necessary, it had not been found practicable in other parts of India. To accept the amendment would only increase the difficulties of the Government. He however promised that,

in selecting men for the judiciary, the Government would choose men with a special aptitude for the law.

The amendment was carried by 18 votes to 17.

GOVERNMENT HIGH SCHOOL FOR GIRLS.

The Council on the 12th passed without division Rai Sahib Mehr Chand Khanna's resolution asking that a Government High School for girls should immediately be opened in Peshawar.

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50 P. C. LAND REVENUE REMISSION

The second non-official day on October 18, was the defeat of the Government by one vote on Khan Bahadur Abdur Rahim Khan's resolution recommending remission of fifty per cent in land revenue and abiyana water rate which are altogether bringing in about thirty-four lakhs to the Provincial Exchequer, just under half the provincial revenue excluding the subvention In asking for a total cut of seventeen lakhs the zemindar members from among the Progressives and Liberals were supported by the entire Nationalist block while the Government were supported by Hindus who made their position clear by stating that while they were in sympathy with the principle underlying the bill they could not agree to fifty per cent remission with its concomitant surcharge in taxation which would inevitably fall on non-agricultural classes

For the Government, Mr Thompson, Revenue Commissioner and Mr. Burkett, Irrigation Secretary, explained the reasonableness of the present assessment on land and canal water and pointed out the unreasonableness of fifty per cent reduction which would only result in crippling beneficient departments and this would hardly be to the benefit of the cultivating class themselves

On the other hand the supporters of the resolution, particularly nationalist members, maintained that the plight of land-owning classes was so serious as to constitute a positive danger and it was the duty of the State to pay heed to the "Present lull before storm" by giving the required relief even by making furtser retrenchment in departments concerned

There was complete agreement on the next resolution which recommended incorporation of provision in the Government of India Act to be placed before Parliament in the near future for making subvention to be granted to the Frontier Province a statutory and permanent charge on the income of the Central Government in such a way as to enable the Frontier Administration to be carried on in all respects on a footing of equality with the rest of British India Speakers in support of this resolution took their stand on the fact that the Frontier was fulfilling the function not only of India but of the Imperial unit and in asking for statutory provisions to make both ends meet they were only demanding what was clearly their right. The Government found themselves in agreement with the rest of the House and the Finance Member, Mr Cunningham promised to communicate the result of the debate and wish of the House to proper authorities. The resolution was adopted unanimously.

REMISSION OF LOAN

There was an interesting debate on the 24th October, on Rai Sahib Mehr Chand Khanna's motion recommending the remission of the entire loan of 10 lakhs granted to sufferers of the Kohat riots in 1924.

Rai Saheb Khanna said that by granting remission the Government would only lose about Rs. 30,000 yearly for the period over which the instalments were spread. For that act of grace they would earn the gratitude and goodwill of all the three communities. He said that the people had taken loans expecting to rehabilitate themselves, but they were now regretting having entered into this additional commitment. On the one hand the value of immovable property had gone down considerably and trade was at a low ebb due to the depression. On the other hand, the Government had started making legal recoveries. As a consequence, about forty persons had been rendered insolvent and a number of firms had gone into liquidation. In other parts of India, where similar disasters had occurred, and Government had come forward with some measure of gratuitous aid in conjunction with loans, but in Kohat this had not been done. He therefore appealed to the Government to show mercy to the people.

While Progressives and Liberals opposed the motion, Nationalists and Hindus solidly supported it.

GOVERNMENT OPPOSITION

The Finance Member, Mr. Cunningham, opposed the resolution on behalf of the Government. He said that the Government had the utmost sympathy with those who had suffered during the riots, whether they were Hindus, Mussalmans or Sikhs. Their sympathy was not influenced by any considerations such as the origin or other factors connected with those riots. He wished at the same time, to make it perfectly clear that the Government had no intention whatever to forego the amount advanced as loan.

Mr. Cunningham stated that within two years of the advancement of the loans, it was found that money was not being genuinely appropriated for the purposes wherefor it was given. In 1930, the year following the period of depression, the Government, after taking all the circumstances into view, extend the period of payment to 20 years and also offered to forego interest, if the instalments were paid on the due date. It was not trade depression however, so much as the mistaken idea, that a remission would be forthcoming, that was responsible for the difficulty which the Government had been experiencing in making the recoveries ever since 1930. A very important principle was also involved in the question. The revenues of the Government came from the tax-payers and not from a bottomless purse. If remission was to be given to Kohat, money would have to come from tax-payers not only of this province, but of India as a whole. And then too, Kohat was not the only place which had such troubles or was likely to have them. Therefore, both for the sake of the good name of the Frontier Province, and the reputation of their people for commercial honesty, the Government could not countenance a move savouring of repudiation of commitments.

Rai Sahib Khanna, replying, said that a province which had to depend on others for a major portion of their expenditure, could not be too squeamish regarding considerations of credit.

The motion was lost by 20 votes to 14, the minority consisting of Hindus and Nationalists.

CERTIFICATION IN FRONTIER

The Finance Member informed the House on the 20th October that under the powers vested in him by the Government of India Act, the Governor-in-Council had restored the Excise-Registration demand, which had been rejected in toto by the Council at the Abbottabad session.

BURMA LEGISLATIVE COUNCIL

THE Burma Legislative Council is described by the Rangoon correspondent of the "Hindu" under date December 9:—

"The present session of the Burma Legislative Council is remarkable in more ways than one. Apart from the issue of Burma's future which has aroused keen and lively public interest, there are other novel features that render it memorable. This is the first session in the history of the Council, when it functions without Ministers, the Executive having taken over the Ministerial portfolios due to the refusal of the non-official parties to form a Ministry. Contrary to expectation, His Excellency the Governor did not address the Council on the opening day. In the person of Daw Hnin Mya, the talented sister of U Chit Hlaing, we have for the first time a woman member in the Council.

Perhaps the most remarkable event is the unanimous election of U Chit Hlaing, the leader of the Shit Hlaing G. C. B. A. to the presidentship of the Council. The election has been well received as evidenced by the tributes paid to him by the party leaders and the Press.

The Council is more representative than any of its predecessors, as it has received the co-operation of parties and individuals who had till lately adhered to a policy of boycott. The Indian strength of the Council has been further increased by three nominations. By the nomination of Mr. Vellayan Chettiar, the Chettiar community has for the first time received representation which it so well deserved by reason of its vast economic interests in the country. This nomination has been welcomed by all sections of the public."

The council discussed only the separation issue. Towards the beginning of the session, a sensation was created by the passing of the vote of censure upon the, otherwise popular, president. The proceedings are summarized.

CENSURE MOTION

When the Burma Council assembled on the 12th December to discuss the various motions on the issues of separation and conditional entry into Indian Federation, the President ruled all motions except one out of order. The action of the President was resented and the mover of that single resolution expressed his desire not to proceed. Accordingly with the sense of the House, the President adjourned the Council.

On the 13th December, after Mr. Chit Hlaing, the President, had taken his seat, Sir Maung Gyi moved: "This Council resolves that Mr. Chit Hlaing, the President, be removed from his office, and that the consent of His Excellency be obtained."

The President asked the House whether the motion should be taken up at once or later.

The House divided, deciding on immediate discussion of the motion by 69 votes against 29.

Mr. Chit Hlaing then vacated the chair and Mr. Saw Pe Tha, Deputy President, took the chair.

Sir Maung Gyi, in moving his motion, related the incidents prior to the President's ruling out all the motions, and criticised his attitude and behaviour. The speaker said that the President's ruling was an attempt to stifle the motions, but as the President, in spite of the requests of the party leaders, had refused to revise his ruling, the only alternative was his removal.

Sir Maung Gyi informed the House that he had tabled on the previous day itself the present motion, but the President had disallowed it and had put it in to-day's agenda. Thereby, he said, the President had insulted the House, and treated the members with contempt.

Sir Maung Gyi charged the President with breaking the promise that he would leave party politics and also with betraying the trust imposed on him by acting in a manner unworthy of his office. The speaker also levelled against Mr. Chit Hlaing the charge of perversity, arbitrary action and dishonest intentions.

The Finance Member, supporting the motion, said that Mr. Chit Hlaing by his ruling gave his party undue advantage over the others. His past political activities and prejudices had blinded him to the need for effecting a compromise.

After the mover had replied to the debate, the motion was put to vote and carried by 70 against 25 votes.

When the Council met on the next day Saw Pe Tha, Deputy President, presiding, read out His Excellency's message, concurring with the motion about the removal of Mr. U. Chit Hlaing, the President, from office.

The Deputy President informed the House that Friday, the 16th had been fixed for the election of the new President.

Later, in the day, sixteen motions on the issue of Separation and conditional entry into India Federation, were tabled by three Separationist and thirteen Anti-Separationist members.

RESOLUTIONS RULED OUT

Dr. Ba Maw's resolution in the Burma Legislative Council, which was ruled out runs as follows:—

This Council opposes the Separation of Burma from India on the basis of the constitution outlined by the Prime Minister in his announcement of the 12th January, 1932, to the Burma Round Table Conference

This Council will continue to oppose the Separation of Burma from India until Burma is granted a constitution on the following basis:—

(a) The future constitution of Burma shall provide for the immediate transfer to popular control of at least the same measure of responsibility and the same subjects and powers as will be transferred to popular control in the Indian Federation, both at the centre and in the provinces.

(b) The subjects and powers reserved to the Governor shall be only for a period of transition and such reserved powers shall be framed and exercised in accordance with recognised constitutional practice and shall in no way prejudice the advantage of Burma through the new constitution to full responsibility for her own Government within a reasonable period, and the new constitution for Burma shall further prescribe the manner in which or the time when the said reserved subjects and powers are to be transferred to popular control on the basis of full responsibility.

In the event of failure to obtain a definite pronouncement from His Majesty's Government that Burma, and when separated from India, will be granted the aforesaid constitution this Council proposes that Burma shall enter the Indian Federation with at least the following terms:—

(a) Burma shall have the right to secede from the Indian Federation which it may exercise through its legislature.

(b) There shall be such financial adjustments between Burma and India as may be required by Burma's peculiar local conditions and other circumstances.

(c) The division of central and provincial subjects in the proposed Indian Federation shall be reconsidered with reference to Burma with a view to provincialization of additional subjects, special regard being had to Burma's

geographical position and its peculiar needs and conditions, and further Burma shall be afforded all necessary facilities for acquiring administrative experience and knowledge of the reserved and federal subjects.

This Council requests His Majesty's Government to convene forthwith a conference fully representative of Burmese political opinion for the purpose of determining the future constitution of Burma, either as a separate unit on the aforesaid basis or as a unit in the Indian Federation with the aforesaid terms.

U. Ni's resolution which was also ruled out, is as follows:—

"That this Council is of opinion that the proposed constitution for Burma as outlined in the Premier's speech of the 19th January, 1932, at the last session of the Burma Round Table Conference, being very unsatisfactory, such immediate steps as would make Burma a free State should forthwith be taken by His Majesty's Government as well as by the Government of Burma in order to enable her to manage her own affairs freely and for this purpose another Round Table Conference consisting of representatives elected by the Council should forthwith be held."

STATEMENT OF GOVERNMENT'S POLICY

The election of the new President took place when the Council reassembled on December, 16, with the Deputy President in the chair. There were four candidates of whom Sir Oscar De Glanville was declared elected as the President.

The Finance Member then read out His Majesty's Government's statement of policy and in so doing he said that His Majesty's Government desired him to refer to the following:

Firstly, the Prime Minister's speech at the close of the Burma Round Table Conference on the decision regarding the Separation issue.

Secondly, the speech by the Secretary of State for India in the House of Commons on the 27th June; and

Finally the reply by the Secretary of State to a question in the House of Commons on the 16th November, emphasising that Burma would have no means at her disposal for withdrawing from the Federation.

Continuing, the Finance Member said that the position of His Majesty's Government was as follows:

"Firstly, they are perfectly willing to let Burma remain a province in a Federal India, if that is Burma's real wish.

" Secondly, if Burma chooses separation, His Majesty's Government will seek the approval of Parliament for granting her, with the least possible delay, a constitution as outlined by the Prime Minister, on the basis of which she will be able to pursue her own political development, apart from India, but within the British Empire.

" Thirdly, as regards this constitution, His Majesty's Government have always contemplated that an opportunity should be given to the representatives of Burma to express further their views on the provisions of the constitution outlined before they are finally enacted; and

" Lastly, it must be clearly understood, however, that the statement in which the Prime Minister outlined the constitution, indicates decision of principle on the main points, beyond which His Majesty's Government are not prepared to go."

The Finance Member added that the officials would not take part in the discussion.

U Moung Moung, Anti-Separationist moved the second resolution, opposing separation on the basis of the Premier's scheme. In the event of failure to secure Responsible Government, the resolution proposed entry into Federation with the right to secede. The speaker said that if they got as much as India got, there was no necessity to Federate. They must neither separate nor federate blindly. They must have all the conditions before them, before they decided one way or the other. The first consideration was the promotion of the interest of the sons of the soil. They must not antagonise Indians, but do what was best for the country.

When the Council resumed its sitting on the 17th, U Ba Pe, Leader of the People's Party, moved his motion regarding the Separation issue. The motion strongly urged that the British Government should accept the principle of separation of Burma from India, and frame Burma's future constitution in conformity with the policy of the British Government, declared by the Premier on the 19th January at the Indian Round Table Conference, and that the responsibility transferred to popular control should not be inferior in nature and degree to what would finally be granted to India at the Centre and in the provinces. The resolution further urged that His Majesty's Government should convene a conference of representatives of Burma political opinion for determining the future Constitution. U Ba Pe declared that the Separation question was not a new one. Though he had been a Separationist all along, it was only a couple of years back that the Government changed their view. The speaker repudiated the false fear, that Burma after separation, might become a Crown colony The Constitution outlined by the Premier was superior to that of a crown colony or to dyarchy. All of them were out for freedom. Separation, rather than Federation would lead them to their desired end. All the members of the House, he said, were for separation with the exception of Indians, as Burmans disliked being domineered by others. The speaker then pointed out that all the five motions tabled, with the exception of the one by U Ba Thein, were for separation. He said that U Chit Hlaing, the leader of U Ba Thein's party, had declared the previous day, that he was not a permanent Federationist. So, U Ba Thein's motion, was that of a rebel from his party.

U Ba Pe then referred to the resolutions passed by the Anti-Separationists, and pointed out that, while these resolutions protested against the acceptance of the Premier's constitution and objected to separation on the basis of it, they also objected to permanently entering the Federation. He declared, therefore, that the Anti-Separationists were in reality Separationists. Dealing with the ideas that Burma, as a part of India, would get Home Rule when India got it, U Ba Pe said that Burma, being a portion of India, would still remain under Indian Home Rule, for it was the Federation that would get Home Rule, and not the Provincial Governments. Granting that India were to get independence, Burma would only be a Dominion under India. The speaker analysed the motions tabled, and suggested that Indians, who were out in the province merely for commercial purposes, should remain neutral.

U Ni (Independent Separationist) asked the Government whether the British Cabinet would consider the question of the right of secession as contemplated in one of the motions.

The Finance Member replied that last statement was very clear on the point, and there was nothing to say further.

As the members wanted to have the Government statement announced by the Finance Member translated into Burmese, the President, after taking the sense of the House, adjourned it till Monday, the 19th December, when the discussion would be resumed.

According to the President's suggestion, to which the House agreed, the three motions that were moved would be treated as separate replies to the Premier's speech. After the general debate on the same and the reply to the debate by the three movers, each motion would be put to vote separately. The two motions tabled by the members of U Chit Hlaing's party, one recommending conditional entry into Federation, and the other recommending to the Government to accept the country's verdict and invite the representatives of popular opinion to the Indian Round Table Conference were withdrawn. The decision only lay on the motions moved by U Tha Graw, Ramri Maung Maung, both Anti-Separationists, and U Ba Pe, Separationist.

On the 19th general discussion continued on the three motions regarding the Separation question in the Council.

Ten members participated in the debate. Three of them, including the representative of the Burmese Chamber of Commerce, supported separation, while four, including one Indian member opposed separation on the basis of the Premier's constitution and preferred Federation with the right of secession, which the Indian member said was not an impossible proposition. Representatives of the Burma Chamber said that they had not decided to record their vote, but they required more information about Finance and Indo-Burmese trade relations. One of them opined, that, at present, in trade matters, Burma's interests were not being properly looked after by India, which had recently imported timber from Bangkok and rice from Saigon.

The Chettiars' representative emphasised the economic issues and informed the House that he would remain neutral.

The Council devoted the whole of December 21, to further discussion of the motions on Separation and Federation issues. Fifteen members participated in the discussion.

During the debate, Khan Bahadur Chandoo, representing the Indian Chamber of Commerce, declared that his constituency's policy was one of neutrality. However, he said, his constituency did not believe in separation at the present juncture. He also emphasised that India was a good market for Burma.

Mr. Venkataswami (nominated Labour representative) wanted an assurance from the party leaders that Indian labour interests would be safeguarded.

Mr. Khoo, the whip of the People's Party, referred to an article in "The Bombay Chronicle" about Congress opinion on the separation question, and remarked that the Scindia Company, if Burma was separated, would lose twelve hundred miles of coastal trade. Therefore, the company did not like losing that coast.

Mr. Penn, representing the Trades Association, said that his mandate was to remain neutral. He thought that Burma would be better off after separation.

Mr. Campagnac, representing the Anglo-Indian community, said that the question put before the country was an unfair one. The separation cry was first raised by the Indian National Congress, but he reminded the members to consider the future. He said that if they wanted Federation, not only the right of secession, but also other conditions should be laid down. He opined that it was wrong to say that Indians could not speak or vote. They had been elected and had a right to vote. He remarked that if the country had given a verdict for Federation, certainly his community would have preferred it. He concluded by saying that whether there was separation or Federation, racial questions must go away.

Mr. B. N. Das, representing the Indians of Bassein, said that by entering the Federation, Burma would get provincial autonomy, under which she could grow and develop and attain full Self-Government. But, if Burma was separated now, she would have to meet many difficulties to reach that goal. Referring to the anti-Indian feeling, he observed that this was aggravated by the present economic troubles in the country.

U So Nyun, member of the People's Party, supporting the Separation cause, said that all Anti-Separationists opposing separation on the basis of the Premier's constitution and also opposing a permament Federation, were stout defenders of the ideal of the Separationists. After analysing the motions before the House, he said that both the Separationists and the Anti-Separationists wanted a fresh conference to decide the constitutional issue. He then described the dangers of entering the Federation first and then seceding, quoting at length speeches by prominent members in the Legislative Assembly during the last Budget session.

Dr. Ba Maw regretted that race hatred, which unfortunately still existed in the country, had been introduced into the debate by some speakers. He agreed with Mr. Gandhi that politics should be free from race hatred. The issue put forward by the Premier had created confusion in the country. The Premier, by his diplomacy, had restricted the choice of the people. Hence there was no definite motion in the House for either unconditional Federation or unconditional separation. The speaker blamed the local Government for not interpreting the real wishes of the people to the British Government. The speaker wanted to place the country's feelings before the House and thus do his duty to his country and the Empire. The true feeling in the country was opposed to separation on the Premier's constitution and also opposed to unconditional Federation. The people would continue to oppose separation until a constitution acceptable to the Burmese people was secured. That was the plank of his and U. Chit Hlaing's election campaign. That was, he said, the Anti-Separationists' policy. Many had attacked the Anti-Separationists saying that they were for unconditional perpetual Federation, thus deliberately giving a different meaning to the word "Anti-Separation." An overwhelming majority of the people did not know the meaning of the words 'Separation' and 'Anti-Separation.' What those people wanted was responsible government. Every villager talked of Home Rule. The speaker could not agree to separation, unless he knew the terms. Separation or Federation was a secondary consideration. The primary consideration was the constitution. The speaker controverted Mr. Campagnac's statement that they were bargaining, and said that they wanted something infinitely better than that which was offered to them. If that was not possible, they were willing to enter the Federation on certain terms and conditions, which would be better both for India and Burma. Burma could not be pushed into the Federation without any conditions. They were anxious to create a common bond, which would be of mutual benefit to both the countries. The Finance Member's statement that there would be no right of secession was purposely made for influencing the debate. He denied that the British Government had any right to interfere in the mutual arrangements entered into by both the countries.

Daw Hnin Mya, sister of U. Chit Hlaing, the only lady member in the House, delivered her maiden speech. She spoke against separation. She thought that Burma would be better off by federating with India. She had no faith in Britain's promise, that after separation Burma would reach her desired goal. She emphasised that Burma would suffer in many respects by disunion with India. She strongly refuted the Separationists' statement that Indians financed the Anti-Separationist campaign. The Anti-Separationists

fought their election at their own expense. Concluding, she said that if the Government separated Burma from India, she, like Rev. Ottama, would go round preaching against the Government attitude and would not care if the Government imprisoned her.

U Zaw Ba Thein, a prominent Anti-Separationist, in a vehement speech, said that Burma's present political advance was all due to her connection with India. Therefore, they must enter the Federation, but on condition that if later it was found that such an association retarded the country's progress, they could secede. Quoting at length the Simon Report, he pointed out the importance of the Indian market to Burma's trade, and that Burma's development was greatly due to Indian capital and labour.

C. P. Khin Maung, an old member of U. Chit Hlaing's party, tracing Burma's political development, referred to the G. C. B. A.'s past activities and the Burma Round Table Conference, and said that Separationists and Anti-Separationists both wanted Home Rule but they differed in regard to the path for attaining the end. The British Government had erred in the past by assuming that all Burmans desired separation. Now they were disillusioned. He instanced in this connection Lord Peel's remarks in the Burma Round Table Conference.

Proceeding, the speaker said that the European Chamber desired separation, because the protection given to the Indian steel industry greatly affected them. The Burma Government and the European Chamber both wanted separation, and the People's Party joined issue with them. Concluding, he observed that many members, who were returned on the Anti-Separationist ticket, had changed their attitude, and he did not know what made them do so.

U Chit Hlaing, said that he was one of the twelve delegates, including both Separationists and Anti-Separationists sent to the Burma Round Table Conference, but on return he alone stood against separation, because he felt that the Premier's constitution fell far short of the country's expectations. It was he who had suggested to the Premier that the people of the country should be consulted. U Ba Pe, leader of the People's Party, on previous occasions, had told the Premier and other that the whole country favoured separation, and Britishers accepted his version. But, after hearing the speaker, even Lord Peel admitted that his impression, that the whole of Burma was for separation, was erroneous. Continuing, U Chit Hlaing said that the issue before the country was a straight one, Separation or Federation. When the Council met, U Tun Pe's motion was the only one tabled, and that was for separation on the Premier's constitution. Subsequently, several other motions were tabled attaching various conditions to Separation and Federation. The speaker said that, on a perusal of the statement made by the Finance Member, he found nothing new therein. They were asking for a better constitution than the one offered, but up till now they heard nothing from the Government about that demand. He characterised all the amendments to the motion now under discussion as *ultra vires*, as they afforded no answer to the Premier's straight question. He said he was ready to separate if he got a better constitution than the one afforded.

U. Chit Hlaing, said that none in the House, not even U. Ba Pe wanted separation on the Premier's constitution. The speaker was not a perpetual Federationist, and had declared so at the Burma Round Table Conference. He was glad to see that all sections in the House had declared their disapproval of the Premier's scheme.

U. Ramri Maung Maung, replying, said that his amendment—which opposed separation unless Burma was granted more powers or in the alternative proposed conditional entry into Federation—if added to Tha Gyaw's

motion, would put forward constructive suggestions for the British Government's consideration. He said that negative answer, given by Tha Gyaw's motion, would lead them nowhere. They must say in plain words what they wanted.

U. Ba Pe, Leader of the People's Party, who, on previous occasions, had successively piloted through the old Council motions advocating Separation, and who moved a similar motion in the present session, asking the British Government to accept the principle of separation, said that Burma could never get Home Rule if she remained a part of India.

COUNCIL'S DECISION

The amendment of U. Ba Shawe (Anti-Separationist) to U. Thaw Gyaw's motion, that Burma should enter the Federation with the right of secession, was put first before the House, and declared lost by 51 votes against 27.

U. Ba Pe sought the permission of the House, to withdraw his motion which asked the British Government to accept the principle, that Burma should be separated from India and, to frame the future constitution in the event of separation on better terms. It also urged the Government to convene forthwith a representative conference to determine the constitution on the defined basis.

The President put the motion to vote, and it was defeated by 44 against 33 votes, amidst applause from the Anti-Separationists section. Six remained neutral.

Mr. U. Thagyaw's motion as amended by Mr. Ramri Maung Maung was carried without a division being challenged.

The resolution ran as follows:—

1. This council opposes the separation of Burma from India on the basis of the constitution for a separated Burma as outlined in the statement of the Prime Minister at the Burma Round Table Conference on January 12, 1932.

2. This council emphatically opposes the unconditional and permanent federation of Burma with India.

3. This council will continue to oppose the separation of Burma from India until Burma is granted a constitution on certain terms (as defined in the amendment):

In the alternative, the council proposes that Burma shall enter the Indian federation on certain terms and conditions including the right of secession.

4. The council urges that a conference be called at an early date for the purpose of determining the future constitution of Burma as a separate unit on the basis defined or as a unit in the Indian federation according to the terms defined with right to secede.

Clauses three and four were the amendments incorporated in the resolution.

Officials did not take part in the debate, and remained neutral in respect of all the motions.

INDIA IN COMMONS

INDIA IN KING'S SPEECH

ON November 22, in his speech opening Parliament the King referring to India said:—"My Ministers and other members of both your Houses are meeting in Conference representatives of Indian States and British India. They hope thereafter to place before you proposals for further constitutional development in India. Decisions to be taken will be of great moment to the whole of my Empire and I shall watch your deliberations with great interest."

Mr. Lansbury said no doubt he would be told that India was being dealt with by the Round Table Conference but the speech did not contain reference to the conditions in India or to the repression, nor mentioned whether there was any possibility of the people of India accepting or agreeing to any conclusion that might be reached at the Round Table Conference.

Sir Herbert Samuel said that his followers were fully in accordance with Indian references in the King's speech and would gladly co-operate in giving full effect to the declaration which was endorsed by the House. They dissociated themselves entirely from Mr. Churchill's policy feeling strongly that they could not permanently govern a great people like Indians merely by methods of crude coercion. Sir Herbert regretted the Labour withdrawal from the Round Table Conference, which, he thought, was an error, because there ought to be full national unity in working out the necessary details to give practical effect to the Parliamentary declaration. His followers would gladly co-operate in this effort until the new Indian constitution was enacted.

In the House of Lords, Lord Dufferin, moving the address in reply to the King's speech, congratulated the Government on continuing so successfully the Indian policy laid down by the previous Governments. He added that India, with the exception of Bengal, was to-day quiet but they would be deluding themselves if they believed that because she was quiet she was satisfied. The attitude of bitterness expressed itself not in murder and riot but in refusal to buy British goods persisted.

" Every man and woman in England was sincerely anxious that the difficult negotiations at the Third Round Table Conference were carried to success", said Lord Ponsonby on behalf of the Opposition with reference to the Indian position.

Lord Hailsham said that the Government was embarking on discussions with an anxious desire to reach a solution of the difficult problem of constitutional advance in India which shall be consistent in every way with undertakings given in the last Round Table Conference and which will be successful in finding a satisfactory measure of responsible Self-Government for India, at the same time safeguarding the essential interests which, we undertook, should not be neglected.

INDIA DEBATE IN COMMONS

Mr. Morgan Jones initiated the India debate on the motion for adjournment in the House of Commons. Mr. Jones referred to disclosures made by the Whitley Report on the economic condition and requested an assurance

that the Government was not overlooking its responsibilities. The Labour Party had repeatedly raised the subject of the Ordinances. Good Government was no adequate substitute for Self-Government. He appealed in all sincerity to Sir Samuel Hoare to examine the question of the revision of the Ordinances in the light of the sentiment of Christmas. It was possible for the Government to say, "We are willing to forgive if the Congress will give a formal expression of their wish to withdraw from civil disobedience and abandon the civil disobedience movement." The Government claimed that they had largely crushed the effectiveness of civil disobedience and therefore the Government could accord to do a generous, big thing. Mr. Morgan Jones appealed to the Government as an act of grace to make a generous gesture, to bury the hatchet, to let bygones be bygones and invite people to co-operate with the Government in the severe and heavy tasks imposed on them. He requested the re-endorsement of the Government's declarations and also a plain statement on the position of the Round Table Conference. Mr. Jones asked Sir S Hoare not to allow the Conference to end without some definite issues being finally recorded. He asked for an assurance that the Government had not departed in the slightest degree from the pledge given by the Duke of Connaught on behalf of the King in 1921.

SIR S. HOARE'S SPEECH

Sir S. Hoare agreed to every word of Mr. Jones' complaint of disgraceful Labour conditions in many parts of India. (Mr. Morgan Jones had said that the disclosures of the Whitley Report were such as to make all feel their cheeks blush with shame). The difficulty was that the administration of Labour questions being a transferred subject there was little or no direct control from London. They were fully alive to the need of great improvement in the Labour conditions. All his influence was being exercised in the direction of helping the Central and Provincial Governments to raise their standard. Evidence had convinced Sir S. Hoare that the India League Delegation only saw one side of the picture and were prejudiced against seeing the other side. Sir S. Hoare said that apparently a proportion of the deputation's expenses was paid from the Congress funds and quoted a Congress document showing that the Congress, from the start, had stage-managed the picture which they wished the delegation to see.

He quoted from the Congress headquarters instructions as evidence of stage-management.

The general situation was definitely better. There were two outward visible facts showing that the cause of goodwill was strengthening. One was the ratification of the Ottawa Agreement without any influence of pressure being brought to bear on the Assembly from London. The fact that the Agreements had been ratified by a majority independently of the official vote was a most significant evidence of the goodwill between the Indian Legislature and Imperial Parliament.

The second example concerned the Emergency Ordinances, which he had always hated. No one wished the Ordinances to continue a day longer than necessary. They had decided months ago that it would be more satisfactory if responsibility for dealing with threats to law and order were imposed on the legislatures rather than on the Governor-General's Ordinances.

He welcomed legislation giving Central and Provincial Governments sufficient powers to deal with any recrudescence of trouble. This was a very satisfactory change in the situation, showing that there was a great body of public opinion behind the Government. It also showed that the Indian Legislatures were prepared to shoulder responsibility in dealing with the situation. He added, "The result is that, by the beginning of the new year we shall find ourselves in the position that we will require emergency

ordinances no longer. The Legislatures have, of their own free will, given the Government the necessary powers to deal with the situation. I am glad to announce that, by the beginning of the new year, there will be no further emergency orders. This legislation has also been passed by ordinary methods without the need of the official vote."

THE ROUND TABLE CONFERENCE

Sir S. Hoare said that the personnel of the Round Table Conference only differed from the personnel of the last two Conferences by the fact that the Congress and Labour Party were not co-operating. Otherwise it was essentially the same, being representative of the biggest bodies of Indian opinion. He denied the charge of secrecy. The Conference had decided to abandon unrestricted publicity in favour of a restricted one, which was thought better. He thought on the whole it had given a very fair picture of the happenings at the Conference. The Government were trying to get out of the Conference as much agreement as they could between Indian opinion and ourselves. He would be the last person in the world to be too optimistic particularly with regard to Conferences. However, they had had a series of most useful and, on the whole, satisfactory discussions. The Round Table Conference took for the text the White Papers which had not been departed from. Government's attitude towards Provincial Autonomy and responsibility at the Centre was unchanged. The Round Table Conference had tried to fill many gaps left in the White Papers and carry out the implications of the general principles accepted by the great majority of the House. The Cpnterence would end as the previous Conferences, with a series of reports. If the Opposition would read the report they would agree that most useful work had been done, work which was quite inevitable in order to clear the ground for a meeting of the Joint Select Committee. They would also find that a great measure of agreement had been reached between not only the Government but the whole of the British delegation and great body of Indian delegates assembled in London. Let them wait, said Sir Samuel Hoare, till the Conference was over, which was probably a matter of a few days. The Opposition would then have an opportunity of studying the reports.

BEGINNING OF A NEW CHAPTER

Replying to Mr. Morgan Jones's appeal Sir S. Hoare said that the situation was definitely better than three months ago. They had evidences of goodwill which he had referred to, which had been rather rare in recent years, but which went to show that they were beginning a new chapter. There was the further fact that the legislatures had given the Governments power to deal with any dangerous situation. These were facts which the Government would certainly take into account and would use to the full in order to render it possible for everybody who was willing to take a share in moulding the new constitution and was willing to co-operate with them on general lines.

The debate then ended.

INTERPELLATIONS

Interpellations in the House of Commons with regard to India are given here under different dates.

OCTOBER 31, 1932

CO-OPERATION WITH CONGRESS

Mr. Thomas Williams referred to the statement made to the Press by Mr. Gandhi on September 27 to the effect that the Congress would be willing to co-operate with the Government on honourable terms. He asked

whether the Government of India had taken any steps to make it possible for the Congress and Mahatmaji to co-operate.

Sir Samuel Hoare replied that the initiative lay with Mr. Gandhi and added: "As I said on the 29th of April, if Mr. Gandhi has the disposition to restore the relations which existed at the Round Table Conference, he would not find the slightest difficulty in conveying that fact to the Government who would earnestly consider the position thus created."

CIVIL DISOBEDIENCE CONVICTIONS

Replying to another question, Sir Samuel Hoare stated that the total number of persons convicted in connection with the Civil Disobedience Movement up to the end of September was 61,551. The number of persons undergoing imprisonment at the end of September was 19,858 which, he observed, marked a decline of 1,564 from the number of persons in jail on August 31 and a decline of 12,650 from the number of persons in jail on April 30.

MOTORS FOR OFFICERS

The murder of Mr. E. B. Ellison on July 29 while bicycling, despite police warning against it, led Mr. Wardlaw Milne in the Commons to ask whether the Government would consider making a special allowance to officers to enable them to retain a motor car.

Sir Samuel Hoare replied: "I am fully aware of the importance of ensuring officers serving in dangerous areas not being compelled by cuts in their pay to expose themselves to avoidable risks." He said that he had already asked the Viceroy to examine the possibility of granting relief from cuts in cases where an officer's life was endangered through his inability to afford a motor car.

NOVEMBER 7, 1932

FACILITIES OF GANDHIJI AS A PRISONER

Mr. Bernays asked what facilities were granted to Mr. Gandhi in order to keep himself informed of the political situation.

Sir S. Hoare replied:

"As Mr. Gandhi is a state prisoner he must of course be subject to prison regulations. He is allowed to see without restrictions those desiring to discuss Untouchability. Also Mr. Gandhi is freely allowed to write letters for publication on the subject of Untouchability. As regards the political situation it may be assumed that Mr. Gandhi is fully acquainted with the present position and is having daily access to newspapers and any letters to influence him in the direction of abandoning Civil Disobedience will reach him. If he changes his views on the subject of Civil Disobedience there is nothing to hinder him from bringing the matter to the notice of the Government."

Mr. Bernays asked whether Mr. Gandhi was only allowed interviews on the subject of Untouchability.

Sir S. Hoare replied:

"In view of what I have said I am not satisfied that any other interviews will lead to any useful results." In any case he said he must make it clear that the Government adhered to the views expressed by him in the Commons on the 29th April, where he said that there could be no question of bargaining with the Congress.

JOINT COMMITTEE PROCEDURE

Sir Reginald Craddock asked whether the Government would consider themselves bound by any decision taken either in conjunction with the delegates to the Round Table Conference or otherwise prior to the sittings of the Joint Select Committee.

Sir S. Hoare replied that the Government's proposals would be placed on the Government's sole responsibility before the Joint Select Committee. "It goes without saying that the Government will support the proposals, including any agreed views reached with Indian delegates." It was clear from the statement made by him on the 27th June that the whole purpose of the procedure of the Joint Select Committee was to obtain full observations and criticism of the proposals by Parliamentary and Indian representatives before the bill was introduced.

COST OF ROUND TABLE CONFERENCES

Sir Samuel added that the cost of three Conferences including Burma and the forthcoming Round Table Conference amounted to £ 195,000 of which £ 71,000 fell on the British, and £ 124,000 on the Indian revenues.

NOVEMBER 28, 1932

INDIAN POLITICAL SITUATION

Sir Samuel Hoare stated there was no change in the Indian situation. In the past week convictions in connection with civil disobedience numbered 18,243 at the end of October a decrease of 1,615 compared with September, 7,261 had been released after apologising.

ORISSA—A SEPARATE PROVINCE

Sir S. Hoare also said that the Indian and British Governments were considering the formation of a separate Orissa province and he hoped to make an announcement in due course.

COLLECTIVE FINES IN BENGAL

Questioned by Mr. Thomas Williams, Sir Samuel Hoare said he was able to state the details of the collective fines but promised to inquire.

Replying to Mr. Milner, Sir S. Hoare said that the fine imposed in the Chittagong district had been postponed until December 1st in order to give the inhabitants an opportunity of proving the effectiveness of the recently formed Terrorist Suppression Committee. The local Government was empowered to impose collective fine in any area concerned with the outrages. He also said he was afraid that action of this kind was necessary for dealing with the most dangerous terrorist movement. The police would find the malefactors but it was the duty of civilians to help the police. He was afraid a number of people in Bengal were conniving with the terrorists. This kind of fine was inevitable under the circumstances. Moreover the fines imposed were not under the Ordinances but under legislation passed by the Bengal Legislature.

FORFEITURE OF CONGRESS FUNDS

Replying to Mr. David Grenfell Sir S. Hoare said he understood that the notice issued by the Surat Magistrate ordering the surrender of the Congress funds related to the local Congress, whose activities had been declared unlawful and not to the National Congress, which, as such, had not been declared unlawful.

INDIA LEAGUE DELEGATION

Mr. Molson (Conservative) asked questions regarding the facilities granted to Miss Ellen Wilkinson's party.

Sir S. Hoare said the authorities were requested to help on the understanding that the party did not participate in politics. He understood that the party did not entirely avoid official contact. According to reports, the party seemed to be not anxious to accept official help and not disposed to credit accurate information supplied, choosing to take impressions from Congress workers who received careful instructions from headquarters as

regards staging for Miss Wilkinson's benefit Congress demonstrations involving clashes with the police. Sir S. Hoare understood that Miss Wilkinson's party received support from the India League, which received a substantial donation from a prominent Indian Congress leader.

DECEMBER 12, 1932

ALWAR GRIEVANCES

Sir Alfred Knox drew attention to Moslem discontent in Alwar State. Mr. Butler replied that the Maharajah of Alwar had already announced the appointment of a commission, presided over by the Revenue Minister, to inquire into Moslem grievances, which were engaging the attention of the Government of India.

DECEMBER 19, 1932

COTTON BOYCOTT AND BRITISH FIRMS

Replying to Mr. Wardlaw-Milne, Sir Samuel Hoare announced that the firms signing the statement demanded as a preliminary to the ending of the cotton boycott were: Chrystal and Company; Gill and Company; Langley and Company; Ralli Brothers; Rodoconachi and Company; E. Spinner and Company; the Bombay Company and Volkart Brothers. The firms had been previously informed that Government definitely disapproved of their issuing any statement introducing political considerations into the arrangement in the commercial market. They were advised that if they insisted on rejecting Government's advice they should at least safeguard their own position by making withdrawal of civil disobedience a condition precedent to any expression of opinion as regards the desirability of withdrawal of Ordinances and release of Mr. Gandhi. Sir Samuel Hoare added that inquiries were being made whether these firms gave Government reasons for contravening official advice. So far as the present information went the firms were not satisfied that the Cotton Contracts Act held out sufficient prospect of restoration of normal conditions, and decided to act according to their own judgment to secure settlement in cotton market.

DECEMBER 21, 1932

BULLION MARKET PICKETING

Questioned by Mr. J. S. Wardlaw-Milne with regard to picketing in connection with the Bullion market in Bombay, Mr. R. A. Butler said he had no information with regard to any request by the Congress Party for closing the market. Mr. Wardlaw-Milne asked whether if the information in that connection reached the Secretary of State he would see that steps were taken to imprison those people. Mr. Butler replied that he would be very glad to receive information in that connection.

DEPORTATIONS

Further replying to Mr. Maxton with regard to deportations to the Andamans. Mr. Butler pointed out that in connection with the decision taken a decade ago to close down the penal Settlement as rapidly as possible, the Government of India had retained the discretion to transfer to the Andamans convicts whose, removal from British India, was considered to be in the public interest. The area of the goal where these convicts would be lodged was now free from malaria and there was no longer any objection to it on grounds of health.

POONA PACT AND AFTER

MOVE TOWARDS COMMUNAL SETTLEMENT

THE signing at Poona of the intercommunal pact and the Government's speedy acceptance of the terms were followed by rapid changes in the communal outlook. On one hand, a big agitation was raised up to shake off, what was termed, the superstitious belief in dealing with a section of the people among the Hindus. On the other, a desire was created among several sections of the people to try to solve all the communal problems so as to arrive at an agreement among all communities. The communal questions is taken up first; the inter-communal matters following.

COMMUNAL

In a statement, Maulana Shaukat Ali and Sheikh Abdul Majid Sindhi, M. L. C. of Karachi, President Khilafat Conference, Ajmere, jointly welcome the decision arrived at Poona because it removes a hitch in the settlement of the bigger communal problem. They further state "the responsibility of all leaders of different communities is very great at this critical juncture and no bargaining or haggling spirit should be shown where it is a question of gaining goodwill and confidence of all concerned." Then again, Father Winslow of the Christ Seva Sangh wrote to the Mahatma on the day of his breaking his fast, informing him that he was summoning a conference of Indian Christians to work for joint electorates.

Pandit Malaviya took a leading part in creating an atmosphere for communal settlement. He hurried to Bombay to meet Maulana Shaukat Ali. Maulana Abul Kalam Azad and Dr. Syed Mahmood. Negotiations between prominent Hindu and Muslim leaders were carried on to hold an All-parties' Conference. Selected statements of prominent persons are given below to show the trend of events.

MOULANA ABUL KALAM AZAD

Moulana Abul Kalam Azad in the course of a statement states that in consultation with Hindu and Muslim members at Calcutta and with Pandit Malaviyaji and Babu Rajendra Prasad, an attempt was made to bring about a communal settlement. Dr. Syed Mahmud and Maulana Shaukat Ali were consulted. As a result of these talks, it was decided to hold a conference of Muslim leaders of different groups by the 15th of October at Lucknow.

PUNDIT MADAN MOHAN MALAVIYA

Pandit Malaviya, too, made a statement under date 9th October, in the course of which he states, among other things:

"After the Poona Pact had been made and Mahatma Gandhi's fast was over, Maulana Azad and Dr. Syed Mahmood met me at Bombay and again stressed the opportuneness of taking up the question of Hindu-Muslim-Sikh Agreement. While these conversations were going on, Dr. Syed Mahmood saw Maulana Shaukat Ali, and found him quite willing to bring about an

agreement between Hindus, Muslims and Sikhs and to discuss the question of joint electorates with certain conditions.

In view of the decision of the British Government it is meet and proper that Muslim leaders should take the initiative in re-considering their demand, with a view to bring about a national agreement. Such an agreement is an absolute necessity if national self-government is to be established in the country. The so-called award is calculated to divide. It is calculated to prevent the growth of national unity and goodwill. It cannot stand. It is already in the melting pot. It divides India into compartments more or less water-tight, with hardly any prospect of their coalescing into one Indian nationality. It secures an arrangement under which Muslims will be inclined to rely on artificial weightage for political power and influence, calculated to impair their natural rise to the importance they deserve by reason of the strength of their numbers or voting power. The appeal to electorates based on impulses mainly racial or quasi-religious in their character will fail to lead to the creation of groups resting the rational basis of social economic or political differences. It will create a habit of regarding race and religion as a primary consideration in the formation of Government and in the creation of political affinities.

"Worst of all, the Prime Minister's decision envisages no termination of this vicious system except at the behest of sectarian opinion which it will strongly reinforce during the time it is operating. These are some of the principal defects of that decision and it is satisfactory to note that many of my Nationalist Muslim friends realise them in the same measure as I do. Two points should be specially borne in mind: 1. That a national agreement must be one which is acceptable to all important communities in the country, otherwise it cannot be a national agreement and cannot be the basis of national self-government. 2. The interest of particular communities must be served with due regard to the interest of the country as a whole."

MAULANA SHAUKAT ALI AND GANDHIJI'S RELEASE

In view of all these talks, Maulana Shaukat Ali who was to have started for America on the 6th October postponed his journey. It was felt by many that Gandhiji's presence was invaluable in all these peace talks. Accordingly, Maulana Shaukat Ali sent the following telegrams to the Private Secretary to H. E. the Viceroy on the 6th:—

TELEGRAM TO THE VICEROY

"Kindly convey to His Excellency my respectful greetings on the eve of my departure to America, via England, and place before him my humble request. I have met Maulana Abul Kalam Azad, Dr. Syed Mahmud and Pandit Malaviya for an amicable and lasting settlement between the various parties and interests. But I feel that, without Mr. Gandhi's presence and co-operation, it is not easy to achieve the desired settlement which would bring real peace, not only to the various communities, but also to the British people. Mr. Gandhi's release will be a very helpful gesture of goodwill on the part of the Government. If, unfortunately that is not possible, at least the fullest facility should be given for interviews between Mr. Gandhi and the responsible leaders and workers."

He also sent a telegram to Mahatma Gandhi on the same date and it ran as follows:—

TELEGRAM TO GANDHIJI

"Earnest and helpful conversations held with Mr. Abul Kalam Azad, and Dr. Syed Mahmud, which would bring an honourable understanding between the Muslims. I have also seen Pandit Malaviya with my co-workers, and had a very hopeful and satisfactory interview. I must sail to-day to

keep old engagements in America, but could later return to England for a final settlement. I beg you to use your influence for an honourable peace between the various parties, including the British Government and the Princes.

VICEROY'S REPLY

The Private Secretary of His Excellency the Viceroy replied:—

"His Excellency, while fully appreciating your intentions in desiring to negotiate a settlement between the various communities—presumably in modification of the Communal Award—feels that the first step will be for you to assure yourself that in the action you contemplate you have the support of the Muslim community, in general.

In this connection, attention is invited, to the statement issued to the press on October 7,* by the President of the All-India Muslim Conference and others."

Before receiving the above reply, the Maulana had published the following statement:—

"I am working for an honourable peace that will take into consideration all those concerned with the life in India British, Princes, Hindus, Muslims and all the other minorities. Such a peace would benefit British most, because these will start life with a clean slate. As for Hindus, whatsoever India gets they will get three-fourths of it, and the Muslims, who would have time and leisure to make up the deficiency, and to all other also it would bring peace.

"I am informed by a friend that my telegram has not been delivered to Mahatma Gandhi officially, but he had seen it in the newspapers, and on that he had written a message, the exact words of which my friends did not know, but the following is very near to it, because my friend was not given a copy, and was only allowed to read the message.

'I am very glad that you have postponed your departure for America. I am sure you will be able to do something now, it will be a glorious day when we have real Hindu-Muslim-Sikh unity. Please accept my love and if you make a diligent search, you will still find me in your pocket.'

"I have also received the following telegraphic message from H. H. the Maharaja of Alwar for which I am very grateful. Both my late brother and myself knew His Highness well, and I feel certain that he entertains nothing but affection for his Muslim subjects. On 15th and 16th October we

* The following is the statement under the signatures of Sir Mohammed Iqbal, President, All-India Muslim Conference, Maulvi Shafi Daudi, Secretary, Dr. Shafat Ahmed Khan, Sir Zulfiqar Ali Khan, Dr. Ziauddin, Sir Mohammed Yaqub, Secretary, Muslim League, Syed Abdul Hafeez, Mr. S. M. Padshah, Mr. Mohammed Moazzam, Ghulam Bhik Nairang and Khalifa Shajauddin.

"We have read various accounts in the Press of certain negotiations that have been started by some Muslims regarding the modification of the communal decision. Negotiations seem to have been confined only to the method of election and no person appears to have discussed the other issues to which Indian Muslims have invariably attached supreme importance, such as an effective majority for Muslims in the Punjab and Bengal. Separation of Sind, one third representation for Muslims in the Federal Legislatures and adequate and effective representation of Muslims in Public Services and in the Cabinets. Indian Muslims have consistently shown their solicitude for accommodation with members of the majority community as will be clear to anyone who has followed the numerous attempts that have been made during the last ten years to bring about communal amity and concord on a sound basis.

We feel that it will be highly inopportune to reopen the question of separate versus joint electorates as we are convinced that our community is not prepared to give up this safeguard at the present juncture. Hence any discussion on the method only of representation will be barren of any result. However, we are not adverse to consider any definite proposals that may be involved but we would like to make it perfectly clear that definite proposals in this direction must be initiated by the majority community.

meet together to see if we Muslims sink our differences and stand solid in the service of our faith and our people."

ANOTHER TELEGRAM TO VICEROY

On receipt of the Viceroy's telegram, Mr. Shaukat Ali sent the following reply:—"I assure His Excellency that this country cannot afford to have any more quarrels and disturbances of a communal or a political nature, which hurt equally the good name of the Government and of India. The Lucknow Conference is meant to bring Muslims of all shades of opinion together for the service of Islam and India, which would facilitate a Hindu-Muslim settlement, and an honourable peace between Britain and India.

To us no peace will be acceptable which does not include Britain, which has extended her hand of friendship and peace, and some one has to intervene and act as a mediator. I value the friendship of those who issued a statement from Simla on October 7, and I have every hope that they would appreciate our efforts when they know their real significance. In view of the broad issues and great results expected, I beg his Excellency to use his influence with all concerned so that he may have peace that would benefit all. Mahatma Gandhi's release or facilities for friendly talks with him would yield beneficial results. I hope all are in a chastened mood to-day and are ready to reconsider the position. Under these circumstances may I, an humble servant of Islam, beg that our request would receive favourable consideration from his Excellency?"

VICEROY'S REPLY

The Private Secretary to His Excellency the Viceroy replied as follows:

"Dear Maulana Shaukat Ali,—I have received your letter of October 26th which I observed has also been published in the Press, and I have submitted it to His Excellency. His Excellency would refer you to the telegram which he sent to Sir P. S. Sivaswami Aiyar on the same subject on October 9th last. I attach a copy* of the telegram for reference. In view of the position therein stated, you will understand that, so long as Mr. Gandhi does not definitely dissociate himself from civil disobedience, His Excellency regrets that it is not possible to accede to your requests.

Yours sincerely,
(Sd.) E. C. MIEVILLE."

MAULANA'S REQUEST

Maulana Shaukat Ali sent the following telegram on the 29th October to the Private Secretary to H. E. the Viceroy:

"Extremely regret His Excellency's decision. Beg grant interviews with Mahatma Gandhi any time on Sunday or Monday. Hoping Gandhiji would accept our requests for these. (Sd.) Shaukat Ali."

Maulana Shaukat Ali received the following reply:

"My letter of the 27th October dealt with both your requests and was intended to convey that interviews with Mr. Gandhi could not be allowed.—Private Secretary to the Viceroy."

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*The Private Secretary to His Excellency the Viceroy sent the following wire to Sir Sivaswami Iyer in reply to the latter's request for the immediate release of Mahatma Gandhi:—

"His Excellency wishes me to thank you for your telegram and fully appreciates your feelings. But he would remind you that the position of the Government was stated by the Secretary of State in the House of Commons on April 29 when he said that there clearly could not be any question of co-operation with any one associated with Civil Disobedience. It must, therefore, be clear to everyone that it is open to Mr. Gandhi at any time to secure the objects you have at heart, by dissociating himself definitely from Civil Disobedience."

Moulana Shaukat Ali, in his letter, said: "In our view, Mr. Gandhi's presence at the Allahabad Conference would have proved very useful. Hindus, Sikhs and Muslims are making earnest efforts to make this meeting at Allahabad a success.

"His Excellency when he granted me the honour of an interview, was very sympathetic towards our efforts for all-round peace, but apparently his colleagues gave him a different advice, with the result that we are denied facilities for making the Allahabad meeting a success. I am very sorry for it, but in spite of that, we mean to carry on our efforts for an honourable understanding. I hope the final Arbiter, who watches over our destinies, would grant the Hindus, Sikhs and Muslims, sanity of wisdom and with His Divine guidance help us at Allahabad and make our efforts in the great cause of peace, successful in spite of handicaps.

"Peace is essential for India and in the long run every one will have to sue for it, and welcome it. With God's assistance, we will succeed. We mean to continue our efforts for an understanding. Our earnest and unselfish efforts will convince His Excellency that we are real friends of Britain and India, working for a peace honourable to all concerned and leaving no room for the humiliation of any party. The efforts may not be appreciated to-day, but are bound to carry their own reward."

BOMBAY MUSLIM PARTY CONSULTED

The result of negotiations between Mahomedan leaders at Bombay was communicated to the leader of the Muslim Party in the Bombay Council in a telegram by the President, Khilafat Conference:—

"Maulana Abul Kalam Azad, Dr. Syed Mahmood and Mr. Shaukat Ali desire Muslim solidarity in unanimously demanding 13 points. For electorates Mr. Shaukat Ali is opposed to unconditional joint electorates but favours a compromise on the basis of the late Mahomed Ali's formula or panel method or some safeguarding solution. Dr. Mahomed and Maulana Abul Kalam Azad promise to exert united pressure on Hindus for accepting Muslim demands, and state that otherwise they will join us for joint action. Mr. Shaukat Ali is proceeding to America. Kindly wire your opinion and fix a place and date to meet for consideration of the proposal. Wire Khilafat, Bombay."

Sir Shah Nawaz Khan Bhutto, of the Council Group of Mahomedans, held a meeting as a result of which the following telegram was despatched to the President, Khilafat Conference, Bombay:—

"Muslim Party in Bombay Council favours conference of All-India Muslim leaders at some central place to discuss this matter."

SIR SHAH NAWAZ KHAN BHUTTO

Interviewed by the Associated Press on the subject of efforts then being made for communal unity Sir Shah Nawaz Khan Bhutto, leader of the Muslim Party in the Bombay Legislative Council said:—

"The various statements issued by Sir Mahomed Iqbal, Sir Mahomed Yaqub and other Muslim leaders of Upper India, to the effect that in this matter the first approach should be by the majority community is not without great force. Ever since the All-India Muslim Conference of 1929, the minimum demands of Mussalmans have been clearly before the public and they have been reiterated from time to time. They have even received the acceptance of Mahama Gandhi even though it was qualified. Their demands so set out are the minimum and all Mussalmans are agreed on this. Under these circumstances, it appears to me that Pandit Malaviya's invitation to revise our proposal with a view to make them acceptable to all parties gives away the whole game."

BENGAL MUSLIM LEADERS

The following joint statement to the press was issued by Mr. A. H. Ghuznavi, M.L.A. and Dr. A. Suhrawardy, M.L.A.:—

" While anxious to welcome any genuine gesture of peace and goodwill likely to lead to abiding settlement of the vexed communal problem between Hindus and Mussalmans, we feel it our duty to make it absolutely clear that in responsible Muslim circles in Bengal activities of certain old Congress associates of Maulana Shaukat Ali, who now rejoice in the appellation ot Nationalist Muslims have created a bad impression and aroused a feeling of resentment as their efforts are looked upon with great suspicion and are suspected of being a clever move to disrupt the solidarity of the Muslims in India with regard to their political demands and safe-guards and to deprive them of the fruits of their continuous and incessant labours in the face of great difficulties for well night five years.

"Neither Maulana Shaukat Ali nor his erstwhile Muslim Congress associates whatever their position and pretensions may be with reference to their own community, can claim to be the accrediated pelnipotentiaries of the Hindus and to be in a position to deliver the goods. Evidently, Mahatma Gandhi has not as yet felt the divine call of holding out the olive branch to the Muslims. If and when he does so the best person with whom he should negotiate is not any Maulana or Pandit but H. H. the Aga Khan who has been the acknowledged political leader of the Muslims of India ever since he headed the All-India Muslim deputation to Lord Minto on the eve of the Morley-Minto Reforms.

"We owe it to our Hindu brethren to make it absolutely clear that in our opinion, no useful purpose will be served by the procedure adopted by their Nationalist Muslim friends and by the proposed conference in Lucknow which is not likely to be attended by any responsible representative Muslims from Bengal outside the so-called Nationalist Muslim group."

PRESIDENT OF THE KHILAFAT COMMITTEE

Mainly in view of the above statement and that of Iqbal and others as given earlier, Sheikh Abdul Majeed, President of the Khilafat Committee, in the course of a statement urges the necessity of solidarity among the Moslem community and the necessity of the Lucknow conference which, according to him, " is a purely Muslim Conference having for its aim the unification and the reconciliation of the various schools of political thought among the Muslim community. " The statement continues:

"The Premier's Award will never be modified unless there is some voluntary Hindu-Muslim settlement will never be effected unless the Muslims settle among themselves their own differences. Muslim unity is bound to bring about Hindu-Muslim unity and Hindu-Muslim unity is bound to bring about a lasting settlement between India and England."

Then again, "The Premier's Award has converted our majority in Bengal into a perpetual minority. It has totally ignored the claim of British Baluchistan for constitutional reforms. It has thrown the question of the separation of Sind in abeyance. It gives no guarantee that the N. W. F. will enjoy equal status with other provinces. It denies a statutory majority to Muslims in the Punjab."

"The Viceroy's telegram to Moulana Shaukat Ali unmistakably shows that the reason why the signatories to the joint statement of October 7 do not want to join the Muslim conference at Lucknow is because they do not want any modification of the Communal Award. It is therefore clear that the insistence on the acceptance of the Fourteen Muslim Demands by these very leaders has no meaning at all. They are fully satisfied with the Premier's Award and do not desire its modification in the light of their own demands.

At least that is the interpretation put upon the statement issued by Sir Mohamed Iqbal and his friends by the Private Secretary to His Excellency.

"Now the question arises. Are we prepared to sacrifice all our main demands for the sake of the Communal Award ? Or does it not behove us to sink our petty differences and put forth a united demand ? Should we continue to remain divided even after what has happened ?

"Let us make a common cause, then the whole fault will lie upon the heads of the other parties, if any of them do not listen to our call for a settlement. But we have no reason to blame either the Hindus or the Government if we cannot agree among ourselves."

FRONTIER DELEGATES

Mr. Zafar Ali Khan, Editor "The Zamindar," Lahore. Mr. Firozdin Ahmed Nawab Zada. Mr. Yusuf Ali Abdul Rasul Khan both of Baluchistan, Kasi Ahmed Shah of Bihar, Mr. Mian Zafar Shah; President of the Frontier Khilafat Committee, Barrister Ahmed Shah Secretary, Frontier Afghan jirgah, arrived at Lucknow to take part in the Lucknow Conference.

Many telegrams from the Musiam leaders and Muslim organisations including the Khilafat Committee of Ajmer, Assam, the Provincial Muslim League, Chittagong, Sardar Committee, Bengal and other provinces were received wishing the Conference success.

SHIA MUSLIMS

Raja Nawab Ali Khan, President, All-India Shia Political Conference confirmed the report that their Central Standing Committee at an emergent meeting decided to accept the invitation of Moulana Shaukat Ali to participate in the Muslim Conference proposed to be held at Lucknow on October 15 and 16.

The Committee also adopted a resolution strongly urging the Government for immediate and unconditional release of Mahatmaji so that he may exercise his influence in bringing about a communal settlement

MR. N. K. BASU, M.L.C.

The following is an extract from an open letter written to Pandit Madan Malaviya by Mr. N. K. Basu, M.L.C.:—

"Non-Bengalees are apt to forget the contributions (moral and material) that Bengal has been making for the benefit of all-India for over a century. They arrive at agreements without any consultation with Bengal and rely upon political hysteria to force them down her throat.

"Bengalee Hindus have demonstrated that they are still willing to undergo privations and sacrifices for the sake of Indian Nationalism but I am venturing to bring to your mind that it will be a blunder to ignore them altogether and 'settle' upon their practical extinction behind their backs."

BOMBAY WOMEN'S MANIFESTO

An important appeal, on the eve of the Lucknow Conference, to both Hindus and Muslim leaders over the signatures of over a hundred women, was issued urging upon the leaders to give up mutual recrimination and district, and appealing to them to make a supreme effort for the solution of the problem.

The signatories to the appeal reminded the leaders that the women of India had been neglected and oppressed for ages. In spite of such neglect and oppression they had disdained from bargaining. Although they were the biggest minority in India they had not asked for special treatment. They therefore urged their brothers to copy their example.

Referring to the Muslim demands, the women stated that there was much in them which could easily and safely be conceded by the majority community. When once the necessity for special treatment to a minority com-

munity was conceded, the signatories saw no reason why the community's demand for an assured proportion of the seats in the legislatures should not be agreed to, though such a demand might be higher than the voting strength of the minority.

Dealing with the question of Bengal and the Punjab the signatories said that they saw no reason why the fundamental law of the new constitution should not recognise the Muslim majorities in the two provinces for a period. They also think that the claim for weightage in other provinces under the circumstances was not unreasonable. They therefore thought that the grant of such demands was not too heavy a price for peace and goodwill among the people of India.

The signatories earnestly appealed to their brothers at Lucknow to approach the problem in a spirit of mutual good will, and assure them of their full support.

ALL-PARTIES MOSLEM CONFERENCE

The open session of the Lucknow Conference did not take place on the 15th as the informal talks were not concluded even then. On the next day, amidst scenes of great enthusiasm, the All-Parties Moslem Conference unanimously passed a resolution embodying complete agreement among the different sections of the community.

The following is the strength of the leaders from the various provinces who attended:—

N. W. F. P. four; Punjab four; United Provinces twelve; Bihar five; Bengal and Assam three; Madras two; Bombay eight; Sind three; Baluchistan two; Ajmer one; Delhi fifteen and Khilafatists eight.

More than four hundred telegrams were received by Maulana Shaukat Ali from various leaders, workers and organisations wishing him success.

TEXT OF RESOLUTIONS

The following is the text of the resolutions passed by the Conference:

"Whereas agreement and unanimity among the Indian Moalems of different shades of opinion is a condition precedent to the realisation of the legitimate aspirations of the Mussalmans of India and an agreement between the various communities of India is essential to the attainment of Responsible Government; and

"Whereas the Muslim Conference has reached complete unanimity as embodied in the resolution of the All-Parties Conference in Delhi on January 1, 1929* and as amplified by the resolution of the Jamiat-ul-Ulema held in Saharanpur in 1931 on all items other than the question of separate electorates, this Conference declares that, subject to the definite acceptance of the Moslem demands, the method of election in the Provincial and Central Legislatures be made the subject of negotiations with other communities, preferably on the basis of the principles contained in Maulana Mahomed Ali's formula or otherwise on any other satisfactory basis, subject to ratification by a representative Conference of Mussalmans.

***DELHI CONFERENCE RESOLUTIONS**

The following is the text of the resolutions passed at the Muslim All Parties' Conference in Delhi on 1st January 1929 to which the reference is made in the Lucknow resolution:—

"Whereas, in view of India's vast extent and its ethnological, linguistic, administrative and geographical or territorial divisions, the only form of Government suitable to Indian conditions is a Federal system with complete autonomy and residuary powers vested in the constituent States, the Central Government having control only over such matters of common interest as may be specially entrusted to it by the constitution;

"Whereas it is essential that no bill, resolution, motion or amendment regarding intercommunal matters be moved, discussed or passed by any legislature, central or

"This Conference welcomes the suggestion of Pundit Madan Mohan Malaviya for the appointment of a committee of this Conference to meet representatives of Hindus and Sikhs. While assuring him and all other Indian patriots that the Mussalmans are second to none in their anxiety to serve the best interests of the country, it hereby appoints a Committee to negotiate an agreed solution of the Communal problem, within the terms of the resolution of the Conference relating to Moslems demands and as amplified by the Jamiat-ul-Ulema-Hind and the Shia Conference."

A telegram conveying the decision of the Conference was sent to Pundit Madan Mohan Malaviya.

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provincial, if a three-fourths majority of the members of either Hindu or the Moslem community affected thereby in that legislature opposed the introduction, discussion or passing of such bill, resolution, motion or amendment;

"Whereas the right of the Moslems to elect their representatives on the various Indian legislature through separate electorates is now the law of the land, and Moslems cannot be deprived of that right without their consent;

"Whereas in the conditions existing at present in India, and so long as these conditions continue to exist representation in the various legislatures and other statutory self-governing bodies of Moslems through their own separate electorates, is essential in order to bring into existence a really representative democratic Government;

"Whereas so long as Mussalmans are not satisfied that their rights and interests are adequately safeguarded in the constitution, they will in no way consent to the establishment of joint electorates whether with or without the conditions;

"Whereas, for the purposes aforesaid, it is essential that Mussalmans should have their due share in the Central and Provincial Cabinets;

"Whereas it is essential that representation of Mussalmans in various legislatures and other statutory self-governing bodies should be based on a plan whereby the Moslem majority in those provinces where Mussalmans constitute a majority of the population, shall in no way be effected and in the province in which the Mussalmans constitute a minority, they shall have representation in no case less than that enjoyed by them under the existing law;

"Whereas representative Muslim gatherings in all provinces in India have unanimously resolved that with a view to provide adequate safeguard for the protection of the Muslim interests in India as a whole, Mussalmans should have the right of 33⅓ per cent representation in the Central Legislature, this Conference entirely endorses that demand;

"Whereas on economic, linguistic, geographical and administrative grounds, the province of Sind has no affinity whatever with the rest of the Bombay Presidency, its constitution into a separate province possessing its own separate legislatures and administrative machinery on the same lines as other provinces of India is essential in the interests of India is essential in the interests of its people, the Hindu minority in Sind being given adequate and effective representation in excess of their proportion in the population such as may be given to Mussalmans in the provinces in which they constitute a minority of population;

'Whereas the introduction of constitutional reforms in the North-West Frontier Province and Baluchistan along such lines as may be adopted in other provinces of India is essential, not only in the interests of those provinces, but also of the constitutional advance of India as a whole, the Hindu minorities in those provinces being given adequate and effective representation as is given to the Moslem community in provinces in which it constitutes a minority of population;

"Whereas, it is essential in the interests of Indian administration that provision should be made in the constitution giving Mussalmans their adequate share along with other Indians in all the services of the State and of all statutory self-governing bodies having due regard to the requirements of efficiency;

"Whereas, having regard to socio-political conditions obtaining in India, it is essential that the Indian constitution should embody adequate safeguards for the protection of Muslim culture and for the protection and promotion of Moslem education, language, religion, personal law and Moslem charitable institutions and for their due share in the grant-in-aid;

"Whereas it is essential that the constitution should provide that no change in the Indian constitution shall after its inauguration be made by the Central Legislature except with the concurrence of all the States constituting the Indian Federation;

"This Conference emphatically declares that no constitution, by whomsoever proposed or devised, will be acceptable to Indian Mussalmans unless it conforms to the principles embodied in this resolution."

NEGOTIATION COMMITTEE

In accordance with Pandit Malaviya's message the conference appointed a committee consisting of 19 members to negotiate with the Hindus and the Sikhs. Further the conference empowered Maulana Shaukat Ali to co-opt members.

When the Lucknow Conference was over, Moulana Shaukat Ali took an occasion to meet Pandit Madan Mohan and after consultation with the Pandit and Abdul Majid Sindhi, it was decided to hold a meeting of the Hindus and Sikhs representatives at Allahabad beginning on the 30th October, to confer with the Moslem representatives, to explore all avenues of an amicable settlement between the communities. It was further decided to hold an All Parties' Conference later on.

RAJA OF SALEMPUR'S APPEAL

In this connection, the Raja of Salempur, President, said:

"The conference was a great success. We had representatives from every province except Assam, whose leaders expressed however their willingness to be with us and to support us in our undertaking.

"I appeal to the Punjab Hindu and Sikh brethren to rise to the occasion and to get their differences settled by helping Pandit Madan Mohan Malaviya and thereby proving their traditional magnanimity. I am very glad at the happy signs which go to show that the Hindus, Muslims and other communities are henceforth going to work in harmony in making the future Constitution a success."

SIR ALI IMAM

Interviewed regarding the Lucknow Conference results Sir Imam said "The Muslim Conference held at Lucknow has reached a working basis for unity not only of Mohamedans but to other communities as well on a reasonable solution of communal differences with reference to constitutional changes that are in sight. I sincerely trust that all communities and classes will seize the present opportunity to offer the Prime Minister an agreed plan for him to proceed upon for purposes of the New Government of India Act."

DR. SHAFFAT AHMAD KHAN

Dr. Shaffaat Ahmad Khan, interviewed, said "the resolutions passed by it have made confusion worse confounded and separate electorate has been sacrificed in order to secure unanimity on other thirteen points. Separate electorate is fatal to our political existence at the present juncture and Muslim cannot give it up. When the relations between the two communities have improved, when trust and confidence have been created Muslims are bound to consider under the terms of the Prime Minister's decision, at the end of ten years, whether any other system of election should be adopted in place of present arrangements which an overwhelming majority of Muslims wish to retain."

BENGAL HINDU SABHA

In view of the resolutions at the All Parties Conference of the Moslems, held at Lucknow on the 15th and the 16th instant, which amount to saying that, if the Hindus and the Sikhs were to concede thirteen points of Mr. Jinnah, the Moslems will be prepared to consider some modification of the fourteenth point e.g. whether some mixed system of joint or separate electorates would not be acceptable to the Moslems, the Bengal Hindu Nationalists issued the following statement.

1. That we welcome the attempt of the Moslem leaders to come to a compromise on the communal problem and we assure them of our sincere

co-operation, if it is based on reasonable and national lines on the principle of 'give and take.'

2. That, if any scheme of compromise is based, whether in Joint or Separate Electorates, on the principle of reservation of seats for any majority community in any province with the object or result of securing majority by statute to the majority community, it will not be acceptable to the Hindus of Bengal.

3. That in any scheme of compromise, no minority community in any province should have its representation fixed below its proportion in the population of the province.

4. That if, as a matter of compromise, a system of weightages in representation to minority communities in provinces be acceptable to the majority and minority communities, the weightage should be fixed on a principle which should be equally and uniformly applicable to all minorities and there should be no discrimination in the matter in favour of one minority in one province as against another minority in another province, similarly situated.

5. That as regards the question of separation of Sind we are emphatically opposed to its inclusion as an item in the communal problem, particularly in view of the fact that Sind, if separated, will be a deficit province and will have no financial means to carry on its administration at least as efficiently as at present. We hold that the question should be left to be settled by a boundaries commission as a part of the general problem of redistribution of provinces.

BENGAL MUSLIM LEAGUE

An extraordinary meeting of the Council of the Bengal Presidency Muslim League was held on Friday the 21st October, 1932. Moulana Md. Akram Khan presided.

The following resolutions were unanimously adopted:—

1. That the Council of the Bengal Presidency Muslim League expresses its gratification at the agreement and unanimity reached between the different shades of Muslim opinion and accords its whole-hearted support to the decision arrived at in the Lucknow Conference.

The Council further congratulates Moulana Shaukat Ali, Abul Kalam Azad and other leaders assembled at Lucknow and trusts that the spirit manifested there will usher in a new era in the political life of India.

The Council further hopes that the Committee appointed by the All Parties Muslim Conference at Lucknow will be able to bring about a suitable settlement with the sister communities, without which no real progress is possible in the country.

2. That the Council of the Bengal Presidency Muslim League strongly but respectfully recommends this resolution for favourable consideration and acceptance by the All-India Muslim League.

HINDU MAHASABHA'S MOVE

Dr. Monjee, Working President of the Hindu Mahasabha, issued a statement with regard to the decisions of the Lucknow All-Parties Muslim Conference and as regards the peace parleys progressing between Pundit Malaviya and Maulana Shaukat Ali.

(a) There will be no reservation for a majority community in any province with the object or result of securing a statutory majority.

(b) No minority community in any province should have representation below its proportion in population of that province.

(c) If as a matter of compromise a system of weightage in representation to the minorities in the provinces be acceptable to the majority, then

the weightage for the minority may be fixed on the principle of being equally and uniformly applicable to all minorities and there should be no discrimination in favour of one minority of one province as against another minority in another province similarly situated.

YOUTHS' MANIFESTO

A manifesto signed by young men and women of the Hindu and Moslem Community appeals to all young men of both the communities to bring about a peaceful and compromising atmosphere. It is the younger people who should know that no striving can be worth when it is based on the constitution of India on a communal basis and the cherished ideal of all an United India can be achieved only "by surrendering respective rights to the inexorable and all absorbing rights of the whole nation which is composed of so many separate communities."

According to the signatories the past attempts at unity laid a greater emphasis upon the form than upon the spirit behind and the result was failure; but the present moment was the most opportune one and they therefore submitted to the patriotism of the younger generations to culture the spirit of earnesstness to become united.

The ways and means as to how the combined efforts of the Hindu and Moslem young men could effect a real and permanent unity among the different communities in India were discussed at a largely attended public meeting held at the Albert Hall on the 22nd October evening. Mr. Abdulla Rasul presided.

The following resolutions were adopted in the meeting:—

This assembly of young men and women in Calcutta of both Hindu and Moslem communities welcomes the manifesto issued to and appearing in the local Press on communal unity by some youth leaguers of Bengal on the 19th October, 1932 and wholly corroborates the ideas as expressed in the manifesto referred to. (The reference is to the preceding statement).

This assembly, while reiterating its profound faith in the principle outlined in the manifesto, congratulates Pandit Madan Mohan Malaviya, Maulana Shaukat Ali and other Hindu and Moslem leaders who are sincerely working for unity being achieved between Hindus and Moslems of India but at the same time feels necessary to draw their attention to the contents of the manifesto so that they might place much more effectively before the nation the ideal of communal self-effacement as a condition precedent to an abiding communal unity.

This assembly, further, declares with emphasis that any pact among different communities, without being backed by the earnest spirit of becoming united, will be productive of more evils than good, for in the event of such a pact taking place, interests of the nation as a whole will be relegated to the background and fictitious claims of different communities will perpetuate the much-deplorable communal schism and will carry far the seeds of dissension and national disruption, thus becoming a permanent bar to the growth of an Indian nationality in the country.

This assembly, in the last place, feels convinced that to surrender to national claims all petty and insignificant communal claims, an organisation should be immediately started in Bengal which may be styled as the Young Indians' League, whose field of work may be extended outside Bengal if possible.

To make such a league possible, this assembly authorises the signatories to the manifesto to form a Provisional Executive which, being given the power of co-option, will frame and give effect to necessary rules and regulations, draft a constitution and submit the same for acceptance with neces-

sary amendments in an All Bengal Youths' Assembly to be convened by the Executive at an early date preferably before the Christmas Week.

DR. MOONJE'S MESSAGE

In a press statement Dr. Moonjee says:—

On the eve of the Conference I think I should warn the Hindus to see that they do not allow themselves to be swept off their feet by the force of the wave of sentiment roused by the fast of Mahatma Gandhi. Mr. Jinnah, Maulana Abul Kalam Azad and Maulana Shaukat Ali have made it clear in their statements that they stand by the fourteen points of Mr. Jinnah. Let not the Hindus do anything which may create sullen bitterness by forcing Joint Electorates on the Moslems who still regard separate electorates as their most valued privilege, or by compelling the Hindus to pay an exorbitantly disproportionate price for joint electorates. No settlement which is not based on the principle of give and take, or which is based on the surrender of one party to another will lead to peace and friendship.

SIR MOHAMED IQBAL

Sir Mohamad Iqbal, delegate to the third R. T. C. in a statement to the press regarding the Lucknow Conference decision said.—

"I have given my best thought to all the aspects of this question. I think perhaps the time has not yet come for a mutual agreement between the majority community and the Muslim. But so far as the Muslims are concerned, they have always been ready to come to an agreement. If, however, that moment has already arrived, nobody will be happier than myself. I am only waiting to see what steps the leaders of the majority community will take in view of the resolution adopted at Lucknow.'

MUSLIM CONFERENCE

A joint meeting of the Council of the All-India Muslims League, the Working Committee of the Muslim Conference and the Jamiat-Ul-Ulema of Cawnpore, held at the office of the All India Muslim League under the presidency of Sir Abdulla Suhrwardy, adopted the following resolutions:—

1. Having regard to the growing influx of immigrants in the predominantly Muslim Provinces, and the need for securing an effective weightage to the Minority, this meeting endorses the legitimate demand of the Assam Mussalmans for reservation of forty per cent. of the seats in the local legislatures;

2. Having regard to the importance of the Muslim community in Madras this meeting deems it necessary that the Muslims in Madras should enjoy the same weightage as allowed to the N. W. F. Province (Hindus), and should be treated in the matter of representation on the Cabinet and other services in the same way;

3. As no decision has been reached regarding the representation of the Delhi Province, and as the proceedings of the last two R. T. C's. have made very small mention of this Province, this joint meeting demands that one seat should be reserved for the Muslims by separate elections, for each of the Provinces of Delhi and Ajmer in the Federal Assembly.

4. In view of the weightage given to non-Muslims in the N. W. F. and the inadequate weightage given to the Muslim minority in Behar and Orissa which fall short of the Muslim demand this joint meeting resolves that at least 27 per cent. representation be given to Muslims in Behar and Orissa.

5. In view of the fact that some Muslim gentlemen who attended the Allahabad Unity Conference have stated their proposals are yet not final as in fact the report of the Unity Conference is not yet even signed and as one gentleman has tabled an amendment that the Allahabad proposal is

premature but in order to remove all possible mis-representation, this meeting will make it clear that no communal settlement by whomsoever arrived at or agreed to shall be acceptable to the Muslim community at large unless and until all the demands as embodied in the Muslim Conference resolution of January 1, 1929 or as amplified by the resolution of April 30, fully conceded. This meeting further records its considered opinion that the Allahabad proposals as published hitherto fall short of the Muslim demands and therefore are unacceptable.

KHILAFAT PRESIDENT'S STATEMENT

Moulana Abdul Majid, President of the Khilafat Committee issued the following statement:

"It is regretable that the joint meeting of the Working Committee of the Muslim Conference, the Muslim League and the Jamait-ul-Ulema of Cawnpore are not in a mood to consider the Allahabad Unity Conference's decision dispassionately, and thus have lost a golden opportunity to do a great service to the noble cause of achieving unity. If the above organisations had suggested any amendments in the decision of the Unity Committee they would have been perfectly justified, but what they have done amounts to a repudiation of the Allahabad decision, without thinking that almost all their main demands are embodied in those decisions.

ALL INDIA SHIA CONFERENCE

The All-India Shia Political Conference passed the following resolutions.

The first resolution protests against Communal Award because:—

(1) It recognised separate electorate which is fundamentally opposed to a National Government; (2) it forced separate electorate on the communities that claimed joint electorate; (3) it placed the Punjab and Bengal Muslims in a statutory minority; (4) as it kept in abeyance matters of fundamental and constitutional importance such as representation of different communities in the centre, separation of Sindh and concession of full constitutional status to Baluchistan etc.

The second resolution welcomed the proposed Allahabad Unity Conference and authorised the Shia representatives to support any settlement which may bring an everlasting unity between the various communities in India subject to the following fundamental principles:

(1) the system of election must be through joint electorate;

(2) until adult franchise is introduced the number of voters should not be less than their propulation proportion;

(3) failing the acceptance of the above principles the Shia representatives must be authorised to agree to any alternative scheme which may not adversely affect the Muslim interest in general and Shias in particular.

The third resolution expressed dissatisfaction over the selection of Muslim Delegates to the third London Conference and expressed resentment at the omission of Mr. Jinnah.

The fourth resolution regarded with great concern the Viceroy's reply to Maulana Shaukat Ali regarding the release of Mahatma Gandhi and opined that proper facilities should at once be provided by the Government for free negotiations between Mahatmaji and the Allahabad Conference leaders for a settlement on the Communal question.

AT BENGAL

Pundit Madan Mohan Malaviya came to Calcutta to try to study the Bengal attitude towards the solution of communal problem.

The following official statement was issued by the secretary to Pandit Madan Mohan Malaviya regarding a Conference at Birla Park:—

"About fifty prominent Hindu public men of Bengal held nearly four hours' consultation at Pandit Malaviya's residence on the 28th October. Various possibilities of a settlement of the communal problems as affecting Bengal and the whole of India, were discussed. Different view points regarding them were expressed, the feeling on the whole being that every endeavour should be made to bring about a solution which may be satisfactory to the different communities."

Another meeting was held again on the 29th and after four hours' discussion, a substantial agreement was reached about the attitude to be taken by the Hindu representatives of Bengal at the forthcoming Unity Conference at Allahabad. Although the exact terms of the agreement were not disclosed to the Press, yet it is a fact that Panditji expressed himself satisfied and thought they would be helpful in arriving at a solution of the communal problem.

MUSLIM UNITY EFFORTS

Chowdhury Ghulam Quddus, zemindar, Dacca, Md. Shamsul Huda, President, Muslim Nationalist Party, Dacca, Wali Uilah Sofiani, Secretary, Muslim Nationalist Party, Dacca, Chowdhury Md. Qusem, zemindar of Agla, Dacca, Dr. Golam Gilani of Algir Char, Dacca are among the signatories to the following appeal to Maulana Shaukat Ali:—

"The unanimous resolution of the Lucknow Conference gives full satisfaction to the Moslems of Dacca. The Premier's decision has opened the eyes of the Mussalmans. Thanks of the community are due to those Muslims who attended the representatives conference at Lucknow and were anxious to sink their differences and maintain Muslim solidarity. The idea of bringing about communal settlement among the Hindus, Muslims, and Sikhs cannot but be welcomed by every Indian having the freedom of our motherland at heart. Nationalist Muslims are always eager for communal settlement and real peace."

SIKH COUNCIL

At a meeting of the Sikh Council of Action held at Shahdra on the 20th October a special committee, was formed to negotiate with the Hindus and Moslems on the communal question. The Committee, however, was restricted from negotiating on the basis of communal majority and reservation of seats for the majority community.

UNITY CONFERENCE

The Unity Conference opened at Allahabad on the 1st November under the presidency of Mr. Vijayraghav Achariar, ex-Congress President. Over one hundred delegates were present. Prominent among those were Pandit Madan Mohan Malaviya, Sjts. Rajagopalachariar, Vijayraghavachariar, Dr. Moonje, Ramananda Chatterjee, J. N. Basu, Rajendra Prasad, C. Y. Chintamani Padam Raj Jain and Sirdar Sundersingh; the Maharaja of Darbhanga and the Raja of Salempur; Maulana Shaukat Ali, Maulana Abul Kalam Azad, Zafar Ali Khan and Maulana Shafi Daudi.

Pandit Madan Mohan, in addressing the delegates, said, among other things that if unity was established, they could compel the British Government to part with the power at least to the extent declared by the Prime Minister, although he did not feel that was enough. Referring to Ordinances the Pandit said in such a situation was it not desirable to sink all differences and adjust them in a truly national spirit? He believed that they had the intellect to frame such a constitution there. The present position was due to their own failure to see the truth and light.

for a short period fixed by statute as may be shown to be demonstrably necessary in the interests of India.

It is agreed that the various parts of this settlement are inter-connected and the entire settlement shall be regarded as one indivisible entity and shall be given effect to as a whole.

RESIDUARY POWERS

With reference to residuary powers, it is agreed that the powers exercised by the Provincial Governments being scheduled exhaustively, the powers so scheduled and divided shall not be withdrawn from the Provincial Government by the Indian Government. Further, any subject not specifically mentioned in the schedule shall belong to the Indian or Provincial Government according to the relevancy and closeness of their connection with the subjects so scheduled.

The final decision regarding doubts about subjects not scheduled shall vest in the Supreme Court, the opinion of the Central Government prevailing in an emergency until interlocutory directions or a final decision will have been obtained.

PERSONAL LAWS

The personal laws of a community shall not be modified except in response to the desire of the community expressed through its representatives in the legislature or otherwise and with the support of the public opinion of the community concerned.

No change shall be made in the personal laws of the Mussalmans as it is in force in British India, except in accordance with Islamic principles.

CABINETS

(a) In the formation of the Cabinet of the Central Government, members belonging to the Mussalman, Sikh and as far as possible other minority communities of considerable numbers forming the Indian nation, shall be included by convention.

Further, during the first ten years in the formation of the Central Government, a seat shall be offered to a member of the Sikh community.

(b) In the formation of Provincial Governments, the claims of important Indian minorities of the provinces for inclusion of their members in the Cabinet shall be recognised by convention.

JOINT ELECTORATES

It is agreed that all elections shall take place through joint-electorates. But for the next ten years, the following method of election, being a modified form of Maulana Mahomed Ali's formula, shall be in force:—

Out of the candidates who have secured at least thirty per cent of the votes polled of their own community, the candidate who secures the highest number of votes polled on a joint-electoral roll shall be declared elected.

In case, there is no candidate who has secured thirty per cent of the votes polled of his own community, then out of the two candidates who secure the highest number of votes of their own community, that candidate shall be declared elected who secures the highest number of votes of the total votes polled.

At the end of ten years this rule of thirty per cent shall cease automatically. It will be open, however, to any community in any province to give up this system in favour of joint-electorate, pure and simple earlier.

BENGAL

(1) There should be joint electorate with reservation of seats.

(2) Muslims will get 51 per cent of the seats and Hindus and others included in the general electorate will get 44 7 per cent including in both cases seats for special constituencies.

(3) All reservation of seats and all special constituencies will cease automatically after ten years.

(4) A Committee should be appointed to obtain additional seats and adjust the claims of Muslims and Hindus and others in regard to the agreed ratio of their representation in the Bengal Council and to settle any other matter connected therewith as required in clauses 1 and 2.

(5) Joint electorate will be acceptable to Muslims of Bengal only when they get 51 per cent representation in the whole House.

(6) Both the communities will work together for the immediate establishment of Full Responsible Government both at the Centre and in the provinces.

(7) When reservation of seats ceases, there should be adult suffrage.

(8) All the above clauses stand together.

PUNJAB

It is agreed that in the Punjab, the following arrangement shall be in force for ten years only from the commencement of its operation.

(1) The Ministry of the Province shall include at least one Sikh and one Hindu member.

(2) The Ministry shall be jointly responsible to the Legislature

(3) (a) Any legislative measure or administrative policy undertaken by the Ministry, to which objection is taken in the Council by more than three-fourths of the members belonging to all the minority communities on the ground that the policy or measure is discriminatory, or that it injuriously affects the particular interests of any of the minority communities, shall, if the Ministry accepts the objection as valid, be withdrawn. If the Ministry does not admit that the measure or policy is of such a character, a reference shall be made by the Ministry to a Special Tribunal appointed for the purpose by the Central Government, consisting of three Indian Judges, no two of whom shall belong to the same community and one shall belong to the aggrieved community, and their opinion, which shall be given within a month of the reference, shall decide the question and be binding on the Provincial Government. In case the Ministry refuses to abide by it, it shall be bound to resign.

Any legislative measure of the same character, as described above, initiated by any non-official member, if objected to as above, shall be subject to the same procedure as above mutatis mutandis.

(b) It is agreed that the safeguard mentioned above shall apply to U. P., Bihar and Orissa and Bombay.

(4) Seats in the Legislative Council, including those for special constituencies, shall be reserved as follows:

For Muslims 51 per cent; for Sikhs 20 per cent; for Hindus 27 per cent; for Indian Christians, Anglo-Indians and Europeans 2 per cent.

It is proposed that the seats for the Council should be raised to 200 (from 175 as fixed in the Premier's decision). But whatever the number that may be finally fixed, the percentage of seats of the different communities shall be maintained as has been stated above.

(5) All the above clauses shall be interdependent.

SIND

It is agreed that Sind be constituted into a separate province, enjoying the same measure of autonomy as the other major provinces of British India with safeguards for the minorities similar to those agreed to in the case of some other provinces, namely,

(1) That the Ministry of the Province will be jointly responsible to the legislature and shall include at least one Hindu Minister.

(2) That measures of the character described in para three of the Punjab formula shall be subject to the procedure described therein.

(3) (a) There shall be equality of franchise qualifications for both Hindus and Muslims in rural as well as in the urban constituencies.

(b) After ten years, an effort should be made to reflect the population of the two communities in the electorate as far as possible.

(c) There shall be joint electorates with reservation of 37 per cent of the total seats (including the special constituencies) for Hindus in the local legislatures, provided that after ten years, if Hindus so desired, reservation of seats for the Hindus shall be on a population basis, but they shall have in addition the right to contest further seats.

(d) There shall be joint electorates in the local bodies or any representative body constituted by a statute and no reservation in favour of the majority community, except as the result of any demand from the minority community for reservation on a population basis, the minority community and the majority community being determined in each local area according to the population.

(e) Recruitment to the Public Services shall be made by an impartial Public Services Commission, of which at least one-third shall be Hindus. Sixty per cent of the posts shall be filled by open competition on the basis of merit alone, forty per cent being reserved for redressing communal inequalities. In filling up appointments, the Public Services Commission shall give preference to Sindhis and to domiciled Sindhis.

(f) There shall be no discriminatory legislation or taxation and none shall be prejudiced merely by reason of his caste, creed or tribe in acquiring or enjoying civic and economic rights including the right of owning, purchasing or disposing of landed estates in the open market and freedom of choice of any profession or calling. This will not affect any existing law in force in Sind.

Sir Shah Nawab Bhutto and Prof. H. L. Chablani be requested to recommend, consistently with the principle enunciated above, a definition of "agriculturist" for any legislation which may be undertaken for the protection of agriculturists and their decision be accepted.

(4) The Judiciary shall be independent of the Executive by separating the Executive from the Judiciary.

(5) There shall be a Chief Court or High Court in Sind.

(6) This agreement as to separation of Sind is an integral part of the communal settlement concerning the whole of India and shall be deemed inoperative in case, for any reason, the settlement as a whole does not come into operation.

(7) It is also agreed that a Conference of the leaders of Sind be held before the end of this month, to consider the question of the appointment of a committee to investigate ways and means for making good the deficit as disclosed in the Brayne Report and to consider the question of placing the report of the committee before the people as suggested by Professor Chablani.

UNITY CONFERENCE SECRETARIES' STATEMENT

Pandit Govind Malaviya and Dr. Mahmudulla, General Secretaries to the Unity Conference, issued the following statement to the press on the 21st November:—

"We wish to point out that this Committee, fully represented the Conference, the representative character of which in turn will be apparent from the fact that 121 representatives attended it—63 of them being Hindus, 39

Moslems, 11 Sikhs and 8 Indian Christians. These included the members representing the Hindu Maha Sabha, the Rastriya Hindu Sabha, Punjab; the Indian National Congress, Liberals and Nationalists, Trade and Commerce, Landholders, Sind Hindus, the All-India Khilafat Committee, the All-India Moslem Conference, the All-India Moslem Nationalist Party, the All-India Moslem League, the Moslem Youth League, the Jamait-ul-Ulema-Hind, the Punjab Ahrar Party, the All-India Shia Conference, the Sikhs, including those outside the Punjab, and Indian Christians.

"The resolutions adopted by the Committee were the result of prolonged deliberations and the agreement between the reprsentatives of the organisations named above. Every resolution was agreed to when the representatives of the parties concerned felt satisfied that the interests which they represented had been adequately safeguarded. They promised, before they left Allahabad, to place the agreed conclusions before their respective organisations, and to represent their considered opinions at the Conference on the 4th December. The Conference will arrive at a decision, after a full consideration of the views so presented to it."

MOULANA SHAUKAT ALI'S STATEMENT

Moulana Shaukat Ali before sailing for America made the following statement to the Press:—

"Let me assure you that my coming away from Allahabad is not due to any hitch at the Unity Conference. On the contrary I have come away full of hope that the Conference will be a success and that there will be no more strife on the communal issue.

"Not only have I become very optimistic as a result of the 3 days' discussion at Allahabad, but I have such great hopes of success as were never before entertained. We have now come very near each other and we know now what each other wants.

"An announcement would be made when all the points are settled. A fine feeling prevailed between Muslims and Sikhs. Until late at night when Mr. Chablani was talking to us there was nothing, but goodwill although a business point of view was taken of the whole case.

"The Allahabad Conference is progressing in spite of the unfortunate absence of Mr Gandhi and that work would go on as smoothly as ever notwithstanding the fact that I was obliged to go to America to keep up an engagement. I have hopes in my heart and it is wrong to say that I will come back disappointed."

AT CALCUTTA

Pundit Madan Mohan Malaviya, in a statement to the Press, issued in Calcutta says: "It is clear like the noon-day Sun that no Indian party is satisfied with the Premier's Award. Mussalmans are dissatisfied, because the statutory majority they have been asking for, has not been given. The Hindus are dissatisfied because they have been unjustly dealt with everywhere, particularly in Bengal and Assam. Equally, it is an injustice to give an unduly excessive representation to Europeans in Bengal, obviously for holding the balance of power between the Hindus and the Moslems. For the sake of peace, the Hindus and Moslems are bound to unite, as the forces of amity and goodwill generated by the Allahabad Agreement will propel them in that direction.

Under the Allahabad Agreement, unity between the Hindus and the Muslims can be most easily established with the help of Europeans, if they will, with a sense of justice and foresight agree to give up part of the excessive representation that has been promised to them in Bengal. If they will do so, it will be an important step towards re-establishing goodwill between themselves and the great bulk of the population, both Hindu and Mus-

lim. In that case, with a reduced number of seats, they will exercise much greater moral influence in the Council than they would with all the seats which they have secured. On the other hand, by taking a short-sighted view, they can adhère to their decision not to give up anything of what they have got, refusing to consider whether they have got it justly or otherwise. In this case, their *bloc* of twenty-five will be a standing object of hostility to Nationalistic sentiment, which is sure to grow day by day under the future Government, with whatever limitations it may be hedged in. So long as the Premier's decision stands, the *bloc* will be regarded as an 'enemy bloc,' meant to divide the Hindus and Muslims and vice versa. The very decision of the British Government to constitute it, has stimulated the movement for unity."

"Even if Hindus and Muslims", Pandit Malaviya continues, "find that the Europeans are determined not to help them to come to an agreement, they can unite. If they come to an agreement as between themselves and with other Indian minorities, without touching the seats allotted to Europeans, the Prime Minister is bound to accept their agreement and to substitute it for own decision in conformity with the promise made in the decision itself, as he did in the case of the Depressed Classes. In that eventuality, the twenty-five seats of the Europeans will be of little value to them, and of less consequence to the Muslims. On the contrary, the existence of the *bloc* of twenty-five will, in practice, stand in the way of winning the wholehearted goodwill of either party, because Europeans will not be able blindly to support either party in whatever it does or desires.

If the excessive number of seats are given up by mutual consent, and a joint electorate with reservation of as many seats for Europeans as may be agreed upon, is substituted for separate electorates, European candidates nominated by the Bengal Chamber of Commerce and the European Association will, it may safely be assumed, returned; and they will be heard with greater respect and confidence by the Council of the Assembly than when they represent only the limited interest of British Trade or Commerce in this vast country."

BENGAL HINDUS' CONFERENCE

The adjourned meeting of the All-Parties Hindu Conference met at the Indian Association Hall (Calcutta) on December 11 Mr. J. N. Basu presiding.

The following resoltuion moved by Mr. Hirendra Nath Datta was adopted unanimously in amended form:—

"This representative Conference of the Hindus of Bengal, after giving full consideration to the text of the tentative agreement arrived at by the Committee of the Unity Conference at Allahabad, which is to be finally considered at the conference convened at Allahabad on the 13th December, 1932, records its views as follows:—

1. That on principle there ought to be no reservation of seats in the legislatures on a communal basis;

2. That for the sake of communal peace and to help the work of the Unity Conference, the Hindus of Bengal may waive their objections to 51 p.c. of seats being reserved for the Moslems in the Bengal Council only if the Hindus are given 44.7 per cent representation of the whole House, but not otherwise, and on the following further conditions which must be treated as conditions precedent:

(a) All reservations of seats will cease automatically after ten years, irrespective of whether there is or is not adult franchise. Both the communities shall, however, work together for the introduction of adult franchise.

(b) All elections in Bengal shall take place through joint electorates;

(c) The relevant safeguards and provisions embodied in the Punjab settlement shall be guaranteed to the Hindu minority in Bengal.

(d) Special constituencies will cease automatically after ten years provided that special constituencies for Europeans also cease at the same time."

The second resolution which runs as follows was moved and adopted unanimously after some discussions:

II. This Conference also places on record its emphatic opinion that in any reformed constitution there should be redistribution of the province on linguistic basis and all Bengalee speaking tracts shall be brought within the province of Bengal.

Mr. J. L. Banerjee moved the following third resolution:—

III. That the resolutions adopted at this conference shall be mandatory on the delegates from Bengal.

It was adopted by an overwhelming majority.

It was then resolved that the above resolutions be forwarded to Pandit Madan Mohan Malaviya and the secretaries of the Unity Conference at Allahabad.

ALL-PARTIES MUSLIM CONFERENCE

The All-Parties' Muslim Conference was held at Lucknow to consider the resolutions passed at the Allahabad Unity Conference. The result of the deliberations was a resolution accepting the Allahabad Pact in the main, with some minor amendments.

The following is the text of the resolution which was unanimously adopted.

"This session of the All-Parties Muslim Conference, after full consideration of the proposals of the Allahabad Unity Conference, comes to the conclusion that the proposals are acceptable to them with some amendments which were put before them, and empowers its delegates to Allahabad Conference to reach a final agreement within the said amendments."

THE INAUGURAL MEETING OF THE UNITY CONFERENCE

The inaugural meeting was held on the 16th December.

Over a hundred leaders of all communities and political sects were present. Mr. Vijayaraghavachariar was formally elected to the chair. Messages of goodwill were received from all parts of the country from leaders who were unable to attend in person, including several princes—Hindu and Muslim.

MAHARAJAH OF ALWAR

In the course of an eloquent speech, the Maharaja of Alwar said that at present in the Hall were sons and daughters of a common fatherland. He had come there at the call of Unity—that exhilating word, whose demand was irresistible.

Referring to the question of electorates, the Maharaja of Alwar said: "It is a thousand pities that we could not arrive at a settlement when the question was placed in our hands. Some of us asked the Government to give a decision. We are now trying to hammer out an agreement on the anvil of goodwill. Let us tell the world that, if we made a mistake once, we are now determined to achieve Unity. Who likes the word Separate ? Let us add the word Joint to Electorate. Let us be a joint family of India's sons."

Diversity was the law of life, but His Highness felt that perseverance was bound to result in success. The best safe-guard was mutual brotherly relationship and love. "Without that, no safeguard will be of any avail."

Sheik Abdul Majid who followed, said, that Muslims felt at much concern and sorrow at the situation in which the country found itself, as any

other community. All those who were participating in the Unity discussions were determined not to return without achieving unity.

"We have come here," added Mr. Abdul Majid, "with determination and we shall do our utmost to bring about the settlement."

Dr. Moonjee, who spoke next blessed the efforts made for unity. He said, "we should present a united front to the third party. Hindus and Muslims are like two brothers and should live in peace and amity."

Mr. C. Y. Chintamani said from what he had seen he could tell that no credit could be too high for the wonderful and inexhaustible patience which was being brought to bear in order to achieve unity. Pandit Malaviya had been known as the universal peacemaker in the National Congress. It was always his effort to bring about. He has been known as the stout-hearted champion of Hindu interest, but he wanted to reconcile communal with national viewpoint.

Mr. Gyani Shersingh spoke in clear and impressive tone. He regretted that Gandhiji and other leaders had to be absent from the Unity Conference. He observed:

"We were so weak and unfit; it is Unity alone which could improve matters. Some people blamed me that I indulged in zid (obstinacy) but I will fight with ten times more "zid" with my own community for acceptonce of any agreement reached here."

Concluding, he said: "The Round Table Conference might go on for ten years, but Allahabad alone can achieve unity."

Babu Rajendra Prasad said that he was glad that, what the Congress, was trying to achieve for fifty years, was now nearly accomplished. He added, that difficulties that still remained, might be compared to a building which was ready, but had to be decorated with pictures and fulniture.

"We have to furnish it and present the whole thing on December 21."

Pundit Madan Mohan Malaviya winding up the debate, said, he was grieved that Gandhiji and other prominent leaders were not present at the conference. Many points of dispute had been settled. He had seen other unity Conferences but never found such determination and goodwill as at Allahabad. Having regard to the serious issues involved on which the future of Indian Swaraj depended, fifteen days were too small. It did not matter what was happening at the Round Table Conference in London. Allahabad would decide the fate of India. Punditjee added that Anglo-Indians were willing to work with them.

SIKH CRISIS

Representatives of the Khalsa Durbar of the Punjab put up a strong opposition, at the meeting of the sub-committee, to the insistent demand of the Muslims to delete clause 3 of the Punjab formula, agreed upon by the Committee of the Unity Conference on the last occasion.

It is understood that, in the place of the already agreed formula, the Muslims made several suggestions all of which were rejected by the Sikhs as not satisfactory.

Sjt. Vijayaraghavachariar, the President, made an appeal to the Muslims, it is undestood, not to press for any amendment to the agreed formula. He pointed out that it was reasonable that the Sikhs should insist on having some safeguards embodied in that clause. Ultimately the Muslims withdrew their opposition to the clause.

AT CALCUTTA

The meeting was adjourned till the 21st December. In the mean time, Mr. C. Vijayaraghavachariar and Dr. Moonje left for Calcutta to study the Bengal situation.

BENGAL HINDU LEADERS

A Conference of representative Hindu leaders was held at the Indian Association Hall on the 18th December to meet Dr. Moonje and Mr. Vijayaraghavachariar and to discuss with them the Allahabad Agreement. Mr. Akhil Chandra Datta was voted to the chair.

In all seventy-two Hindu leaders representing all shades of opinion were present at the conference.

A deputation of Sikh leaders, who had come from Allahabad to place the claims of the Sikh community before the Hindu representatives of Bengal were also present.

The President called upon Dr. Moonje to explain to the Conference the mission, which had brought them to Calcutta. Dr. Moonje explained at length as to what transpired at Allahabad, and why they had been deputed by the Conference to Bengal to consult the Hindu leaders here. They had been entrusted with the duty of asking the Hindus of Bengal to surrender two seats out of their quota, under the communal award, in order to make good 51 p.c. of seats to the Muslims. Thereupon many members questioned him as to how the surrender of two seats could fulfil the Muslim demand of 51 p.c. Dr. Moonje stated that he was speaking on the basis of the calculation that the leaders at Allahabad had made about the distribution of seats between Hindus and Mahomedans under the 'Award,' but he could not say how far it was correct.

Mr. J. C. Gupta then explained what happened at Allahabad, spoke at some length and moved the following resolution:

"That the representatives of Bengal do ratify the Agreement already arrived at Allahabad in November last in the Unity Conference Committee and that with regard to the amendments moved on behalf of the Moslem party, it be made quite clear that if the Moslems join in the demand for 51 p.c. and 44.7 p.c. of seats for Moslems and Hindus respectively, and agree to press for the national demands formulated in clause 1 of the Allahabad Agreement, then the Hindus failing to get any additional seats from constituencies other than those of the Hindus, will be prepared to concede that they will for the next two elections refrain from contesting seats in the special constituencies to make up for 125 or 126 seats for Moslems."

Nobody, however, came forward to second the resolution, which therefore fell through.

Mr. N. K. Basu proposed a resolution to the effect that the conference reaffirms the resolutions adopted at the last All Parties Bengal Hindu Conference held on the 10th and 11th December.

Mr. J. L. Banerjee moved an amendment which was accepted by Mr. Basu. The resolution in the final form stood as follows:—

"That this conference of Bengali Hindus having heard Dr. Moonje and Mr. Vijayaraghachariar and having taken their suggestions that the Bengali Hindus should give up two seats to the Mahomedans, into their most respectful consideration, do not see their way to modify the resolutions adopted at the Hindu Conference held on the 10th and 11th and make it clear that no further seats should come out from the general and non-European special constituencies to make up the Mahomedan quota of 51 p.c."

Mr. Vijayaraghavachariar in rising to oppose the resolution made an appeal to the members present to save the situation and to help the successful termination of the Unity Conference. He felt that the conference had really started a march towards unity, and thought it was worth their while to take that fact into their conisderation.

At this stage, Babu Bhagirath Chandra Das, President, Bangiya Jana Sangha, announced that some members of the depressed class met together that afternoon and had decided to offer additional seats to the Moslems out of their own quota.

Many members, however, protested that the depressed classes had no right to go out of their way to offer any seats to Moslems, as it was purely a question of the Hindu community as a whole.

Mr. Basu's resolution was then put to vote and carried, only two voting against.

The President then called upon Mr. Bhaizada, the Secretary of the Sikh Rights Conference, Calcutta, to place their case before the House. Mr. Bhaizada, in the course of his speech, claimed one seat for the Sikhs in the Bengal Legislature, as the Sikhs were an influential minority, they have got important business relations in the province and claimed special historical importance. He moved a resolution which ran as follows:

"It is hereby resolved that the Sikh Community in Bengal, which forms an important and recognised minority community in this province, having varied interests in trade and business and having historical Gurdwaras and estates attached in this province, should be given a minimum of one seat in the Bengal Council."

Dr. Moonje then explained the position of the Sikhs.

Mr. Sanat Kumar Roy Chowdhury, Secretary of the Bengal Provincial Hindu Sabha contested the claim of the Sikhs and explained to the House the difficulties involved in such a claim as there were many other and more influential minorities who could, with greater forces put forward such a claim. It was explained to the Sikh leaders present that it was open to them to stand as a candidate from the general constituencies which included the Sikhs and they were assured that those who would be in charge of the elections would keep their claims in view in setting up candidates to the Council.

Thereupon the Sikh leaders withdrew their resolution.

SJ. J. C. GUPTA'S STATEMENT

In moving his resolution Sj. J. C. Gupta made the following statement:—

(1) Representative Government and nationalism is impossible without joint electorates—you cannot prevent communal championship of representatives or communal acts of ministers unless they have to seek support from both communities.

To us, therefore, who feel that without joint electorates nationalism or democratic Government is impossible there is no other choice but to do our utmost for the sake of joint electorate.

(2) Joint electorate, pure and simple, without reservations either for the majority or the minority is our aim and ideal. Therefore, to do away with separate electorate whenever and in whatever way it is possible must be our foremost duty.

(3) Communal Award is repugnant to me for many reasons but the most intolerable element in it is the perpetuation and increase of separate electorates for Hindus, Mussalmans, Europeans, Anglo-Indians, women, Christians and even amongst Hindus and caste Hindus.

Next to me is the question of the injustice done to the Hindus as regards seats while 10 p.c. has been reserved for European though they are not entitled on the basis of population to even ½ p. c. But more than the number of seats that has been denied to us I feel that the right of exercising my vote and influence during the elections over about two-thirds of the representatives in the Council is the worst element and the eternal block in the way of nationalism.

I, therefore, consider that in the interest of nationalism it is our foremost duty to prevent the continuation of the separate electorate.

(4) Though we are not getting the ideal pure and simple joint electorate we are getting a formula for 10 years which enables us to have an effective voice in the choice of nearly the whole House instead of about ⅓ of the House. I consider that as a distinct gain.

In the next place coming to the actual number of seats I am not taking my mind away from what Hindus deserve to have or ought to have. I look at what Hindus have got under the Award and will get if there is no other modification.

I find that most unjustly a very low number of seats have been allotted to the Hindus and that under a separate electorate. I feel convinced that a minority of 93 in a House of 250 is as good as a minority of 90 or even less in a separate electorate. But with my right to influence the election of the House as best as our organisations permit 90 seats under joint electorate and a right to influence election of 140 more is unquestionably better than 93 under separate electorate.

On the top of it comes the question of unity. Some may ask what benefit do we derive from unity after losing some seats. Need I tell you that one outstanding value of this unity is that you remove the justification that Government may put forward for reserving powers in the name of protection of minorities or balancing of communal inequalities or for overcoming communal troubles. Should we not take away that claim which they put forward before the world ? I still think it practical politics that if unity is attained then the Europeans will find it useless to have 25 seats. They will not like nor get 25 European businessmen to waste their time in the Council when they know that they cannot hold the balance of power. The Hindu and the Moslem combination under a joint electorate will make their votes of little value in influencing the work of the legislature and administration. I, therefore, beg you to accept my proposal.

UNITY CONFERENCE COMMITTEE

On the 20th, the Unity Conference committee began deliberations at 8-30 A.M. At the conclusion of the meeting, Pandit Govind Malaviya, General Secretary, All-Parties Unity Conference, made the following statement:

The Committee took up the Bengal question, when the President, Mr. C. Vijayraghavachariar and Dr. B. S. Moonje, who had returned from Calcutta, reported to the Committee the result of their visit to Calcutta. In view of the decision of the Calcutta Conference, the Committee left over this matter also to be taken up by which time it is hoped to evolve some formula to meet the situation.

"We thereafter took up the amendment proposed to the formula adopted previously relating to the method of elections. Several counter amendments were proposed. Others pointed out the difficulties of charging the formula, as it had been adopted by various group. It was therefore decided to take up the question to-morrow. The Committee have thus been able only to consider these problems, but have not yet arrived at any decisions. It is likely they will be able to complete their work by to-morrow afternoon.

"The session of the All-Parties Unity Conference, fixed for to-morrow, has therefore been postponed to 2 p.m. on Thursday, the 22nd December."

The Indian Christian delegates opposed the suggestion that one seat should be taken from those allotted to Europeans, and Anglo-Indians in the Punjab Council, to make up three seats for Indian Christians. They insisted on having three seats, but not at the expense of the other two

minor Christian communities, although these latter were not represented on the Unity Conference.

The Army was also discussed by the Unity Sub-Committee on the 22nd. Hindus are reported to have insisted on recruitment being made by merit alone, while Moslems and Sikhs contended that military traditions should also be considered.

The Committee met at Mr. Abdul Majid's residence, and through the good offices of Pandit Madan Mohan Malaviya, Maulana Abul Kalam Azad, Dr. B. S. Moonje and others the original agreement on Sind was allowed to stand with minor modifications. The claim of Sikhs for separate representation in Sind were also considered by the Committee.

The sub-committee agreed to substitute the word "Cabinet" for the word "Ministry" in the clause which provides that the ministry of the Province should be jointly responsible to the legislature and should include at least one Hindu Minister.

There was much controversy on a Muslim amendment suggesting the deletion of the clause which provided: "This agreement as to separation of Sind is an integral part of the Communal settlement concerning the whole of India, and shall be deemed inoperative in case, for any reason, the settlement as a whole does not come into operation." It was argued that the clause was redundant. Hindus opposed the amendment, on the ground that a repetition of any provision would do no harm.

There was also some controversy over the clause providing for joint electorates with reservation of 37 per cent. of the total seats (including special constituencies) for Hindus in the local legislature. Muslims suggested that the word "Non-Muslim" should be substituted for the word "Hindu." Sind Hindu delegates refused to agree to the suggestion, as they were not prepared to accept representation below 37 per cent. Even the suggestion by Muslims that 40 per cent. of the seats might be reserved for non-Muslims, did not meet with Hindu approval. It was eventually agreed by the subcommittee to retain 37 per cent. of the seats for Hindus.

THE UNITY CONFERENCE

Mr. C. Vijayraghava Achariar in his address to the second session of the Unity Conference held at Mayo Hall, Allahabad, on the 23rd December said:

"Owing to unexpected circumstances the Conference can not be closed to-day as was anticipated, but there would be another stage shortly at Calcutta. The work of the committee was nearly over. The committee held long day-to-day sittings numbering upto 25, yet in view of the complexity of the situation it cannot be denied that the matter required utmost care and caution to be proceeded with."

With regard to the Premier's Award, it must be said that while it did injustice to All-Indian sections, it did the greatest injustice to the Hindu community. Groaning under the weight of this grievance there were some among the Hindus who believed that they were called upon to make greater sacrifice in the cause of unity and the President said that he was personally reproached as to how he managed to be a party to this movement. He thereupon wished to assure his Hindu friends that the sacrifice they were making was greatest and when it was viewed in its objective and subjective aspects it must be admitted subjectively that it is great sacrifice and self-sacrifice spontaneously made in view to recreation of the Indian nation and in that view he had no hesitation to add, to elevate the Hindu community in this great process.

On the prospective nature of the future constitution, he observed:—

"This strange federal Government which is to be the result will have no

control of conditions under which these members will be selected and sent amidst us. Then there is provision that the Governor-General and the Governors are to have enormous powers: Legislative, judicial and executive. In these circumstances our coming constitution will be both fantastic and perilous. One problem perhaps, then would be, what should be the attitude of the country as a whole towards this constitution that is going to be imposed upon us. Already our amiable fellowsubjects and patriots who are sitting at the R. T. C. with conviction that half a loaf is better than no bread, are now emerging from the confused issues to which the country has been subjected.

It is strange to see that already His Majesty's Government have begun to use the stick of Abraham Lincoln with the wrong end of it without its lofty aims of emancipation of slaves and of unity of the Nation. They have warned Burma that if they don't separate from India now, they shall never be allowed to separate again, in other words under this federal constitution no constituent will have power to secede at any time. Apparently no State can ever enter into contract for succession on entering federation. If so, I wonder how many Indian States would think of entering this extraordinary federation."

It was evident that the very nature of the constitution was likely to draw a wedge through the nations and the President observed:

"Henceforth our one duty is to integrate ourselves into one great Nation. Let us not forget that nations by themselves are made. We have two movements before us, the object of both is one and the same, viz. justice to humanity and statesmanship. These two movements are similar in every way, but whilst one is vertical, the other is horizontal. The first was started by Gandhiji, namely reform and uplift of Depressed Classes' Hindus, the other was started by Malaviyaji for the unity of all the communities in India. We must remember so far the nature and durability of our nationality is concerned. We are much better off than other people of the world.

"Three forces in the world disrupt a nation, and they are: racial, religious and economic. The League of Nations has not yet succeeded in protecting national minorities in Europe and of uniting them with the rest. Fortunately, we are saved from this great and dangerous problem, we all are of one race and, if we recognise this fact and aim high and never forget our goal, the other two elements of national disruption will soon disappear. United, consolidated and governing ourselves every man and every woman will be given equal and best opportunities and facilities by the future State, so as to enable them to reach their best and thenceforward national poverty will cease and prosperity will increase."

Mr. Vijayaraghavachariar concluded with an appeal to the Bengal Hindus to revise their decision.

On the next day, when the Conference met, Pandit Malaviya, who presided, made the announcement that agreements had been reached on all important questions and that only one or two points remained to be tackled.

Referring to the Round Table Conference, Pandit Malaviya said that what Government wanted was to put Indians in a "Golden Cage" like a bird, without giving them power to fly. He said that there would a Conference in India which would settle the question of India's freedom. "Like five fingers in the hand," he added, "Indians should work together for their country's cause."

Malaviyaji announced that the Sub-Committee of the Unity Conference would meet in Calcutta on December 27. He said that as regards the Bengal

Question, Muslims had been given 51 per cent. and that he proposed to persuade the Europeans again to yield some of their seats in order to ensure a more equitable representation in the Council. He hoped that the conference, which was going to be held at Calcutta, to complete the work of national unity would succeed, and that nobody would then be able to demolish the building which they had so laboriously erected.

MAULANA AZAD

Maulana Abul Kalam Azad made a lengthy speech, in which he said that India's soul was alive and was now aflame. It was Mahatma Gandhi's voice, the voice of India, that had compelled the Premier to tear off one page of the communal award. India was bound to reject any decision imposed upon her by an outside authority. That was the lesson of the award.

The Maulana thought that under the circumstances of the day, they could not achieve a better agreement than the one they had been actually able to achieve. From the national point of view, too, they could not get a better agreement.

The speaker was confident that the Bengal difficulty would be solved and as for Assam that part of the agreement would be ratified.

BABU RAJENDRA PRASAD

After Moulana Azad, Babu Rajendra Prasad spoke. He had no doubt that the Congress would accept the agreement. If that great national institution had had also to decide the whole national problem, the agreement would have been different, but owing to mutual distrust and suspicion, they could not do better. The Congress, he said, still stood for the goal of independence, but the wording of the resolution had been so kept as to include everything.

WOMEN'S VOICE.

Dr. Muthulaxmi Reddi, speaking on behalf of the women of India, conveyed their message of love and sympathy. Women, she said, had all along the communal award, which sought to divide the womenhood of India, who were never actuated by the communal spirit.

She suggested that an amendment must be made in the fundamental rights clause of the agreement to the effect that whenever the word "men" is mentioned, it should be deemed to include women also, and that both men and women have equal rights.

TWO MUSLIM CONFERENCES

Towards the end of December, two sections of the Moslems held two meetings at different places of Calcutta. One was at the Halliday Park and presided over by Mr. A. Yusuf Ali, Bar-at-Law and termed The All-India Muslim Conference.

The Conference passed the following resolutions:—

This Special Session of the A. I. M. C., welcomes the State as regards the separation of Sind and Orissa and asks that immediate effect be given to the separation, with adequate guarantee in the interest of the minorities in both Provinces similar to those in other provinces.

The Special Session of the A. I. M. C., considers the Allahabad proposals in their present form to be unacceptable to the Muslims of India.

The Special Session of the A. I. M. C., welcomes the announcement of the Secretary of State as regards the allocation of one-third of the seats from British India in the Federal Legislature and demands that when the whole Federal Legislature is constituted the Muslim representation should in no case be less than one-third of the whole House.

The Special Session of the A. I. M. C., demands that the Muslims should have at least one-third representation in the Central Cabinet and adequate representation in the Cabinets of all provinces where, the Muslims are a minority and that no province should be without a Muslim representative in the Cabinet.

The Special Session of the A. I. M. C. urges that the powers of the Central Legislature should be so circumscribed that no alteration can be made in the territorial limits of the provinces as now fixed or in the proportion of Muslim representation in the Legislature without the consent of the Muslim members of the Legislatures of the Provinces that will be affected by such alterations.

The Special Session of the A. I. M. C. is disappointed at the Prime Minister's decision on the communal question inasmuch as it has not reserved an absolute majority of seats for Mussalmans in the Bengal Legislature and urges His Majesty's Government to rectify the injustice that has been done to them.

The Special Session further urges that inasmuch as the percentage which the Musalmans enjoyed in the Provincial Legislatures of Assam. C. P. and U. P. have been decreased by the decision of the Prime Minister, the percentage of the Mussalmans in these provinces should be increased to the previous percentage.

ANOTHER CONFERENCE

Again, a largely attended public meeting of Muslims belonging to different parties was held on the 29th December, in the Albert Hall when the following resolutions were unanimously adopted:—

"This joint meeting of the representatives of the Central Khilafat Committee, the Jamait-ul-Ulema-i-Hind, the Afghan Zirga, the All-India Ahrar Party, the All-India Muslim Youth League, the Jamait-ul-Ulema, Cawnpore, the Nationalist Muslim Party and other Provincial Muslim organisations, emphatically declare that the so-called Muslim Conference, which recently held its meeting in Calcutta, was illegal, unconstitutional and unrepresentative, inasmuch as the constituents of the Conference were opposed not only to the holding of the Conference, but to the procedure adopted by the holders of the Conference in excluding practically all the Muslim organisations, which constitute the Muslim Conference.

"This Conference further resolves that the All-Parties Muslim Conference held at Lucknow be requested to hold another session of the Conference in February 1933, with a view to considering the entire political situation in the light of the recent events."

Mr. Mahomed Hussain who moved the resolution hoped that in future, efforts would be made to secure as much representation as possible, particularly as there were no differences among the various Muslim organisations as to the Muslim demands. Nationalist Muslims had also agreed at Lucknow to the Muslim demands.

Regarding the second part of the resolution, the speaker said that it was the All-Parties' Muslim Conference called at Lucknow which decided to take part in the Unity Conference. To that conference, the members of the All-India Muslim Conference and other important Muslim organisations were invited, but they did not attend it. He, however, hoped they would take the opportunity of sitting together and taking part in the deliberations.

INTER-CASTE MOVEMENT

SOCIAL WORKS

Among the Hindus themselves, men, women and youths all organised into bodies and set themselves to the task of removing the ban placed on

a particular section. Accordingly many wells, temples and public streets were thrown open to the Harijans. The following press-cuttings among a huge number of them of the same type will supply the specific instances of the nature of the works done.

MUNICIPAL WELLS FOR HARIJANS

The Amraoti Town Municipal Committee has passed a resolution by a majority to throw open its public wells and water pipes in Amraoti City (in Berar) for Harijans.

PANDIT'S RULING

A Meerut news states: A "Vyawastha Patra", approving of the latest move for throwing open all temples and wells to the "Harijans," has been issued over the signatures of nine erudite Sanskrit scholars and local leaders of the Sanatan Dharma including Sir V. S. Tamma, Vice-Principal, Meerut College; Sri Krishnanand Pant Shastri; Pandit Pyarey Lal Shastri, Secretary, Visweshwar Sanskrit Mahavidyalaya.

Prominent and influential Sanatan Dharmi Hindus have also issued an appeal to the Hindus to follow the advice of the Pandits and leaders of the country by throwing open the gates of the temples and well to the "Harijans."

TEMPLES ADMIT HARIJANS

A strong move to drive away 'Untouchability' tooth and nail is being made at Hyderabad, as a result of which, several temples, including the Amba Bai Temple at Murlidhar Bagh and the Ram Mandir at Gowliguda were thrown open to Harijans. The latest development is in the shape of a definite threat by influential caste Hindus, who have issued a Manifesto, pledging boycott of temples, which are not immediately thrown open to the Depressed Classes. Information is also to hand from Armoor and Nalgonda Districts in the Nizam's Dominions that orthodox Brahmins have organised a plan of visiting the houses of Harijans and preaching to them simple tenets of Hinduism.

TEMPLE OPEN TO HARIJANS

Haveri is said to be the centre of orthodoxy in the whole of Karnatak on the ground that even the Brahmins are not allowed to draw water from some of the Lingayat wells. Now the suppressed classes in the town can freely transact their business in the town as the other Hindus. All the temples numbering about twenty, the mathas about thirty and the Jain Bastis are thrown open for the Harijans. Efforts are being made to convene an all Karnatak Harijan Conference in this place which is likely to fructify in the near future.

ANDHRA DEPRESSED CLASSES CONFERENCE

Efforts are being made to convene a Depressed Classes Conference. From a press statement issued by Mr. Narala Setti Devendradu M. L. C., Chtairman of the All-Andhra Depressed Calsses Conference the purpose of the Conference appears to be to bring together the various factions which exist among the Depressed Classes themselves and work for their cultural unity.

VILE PARLE

Mr. P. Krishna Rao writes:

The Citizens of Vile Parle have by their precept and example showed their brotherhooood with the so-called Untouchables by mixing freely with them in public functions such as Satyanarayan puja at Gandhi Chowk social dinners at Krishna Buildings and Theosophic Lodge. Many citizens have

also welcomed them in their houses and treated them as they treat other caste Hindus.

BHOR STATE

Untouchability in public places such as schools, courts, offices, "chavdis" and "dharmasalas", has been abolished in the Bhor State from October 18.

ALL-INDIA ANTI-UNTOUCHABILITY LEAGUE

With regard to the aims and objects and the future programme of work of this body, a statement has been published by Mr. G. D. Birla, the President and Mr. A. V. Thakkar, the Secretary. The following extracts are given from that statement.

The aim of the League is to free the Hindu community in the whole of the country from all the evils springing from the institution of untouchability by all peaceful means. It will aim at the complete removal of any bar in civic matters which operate to the detriment of the down-trodden section of our people. The League will therefore work to bring about such a radical change in the very mentality of caste Hindus that they will as a matter of course treat the Harijans (or erstwhile depressed classes) as equals.

It follows that the League will have to work among the caste Hindus, as well as among those who have been treated hithertofore as untouchables. There is a section of the Hindu society consisting of Arya Samajists and other reformers who have already done away with untouchability. The help of such reformers will be readily available for the removal of untouchability and will be welcomed Only those who will accept office in the League and its branches who fully agree with the aims and objects of it. Every member of the Central and Provincial Boards, District Committees and other bodies will, therefore, give in writing a pledge to the effect that he will not observe untouchability in his private or public life and that he will undertake to do his best to have as many roads, temples, wells and other public institutions thrown open to Harijans as possible.

UPLIFT WORK

It is desirable to make it clear that while the League will work by persuasion among the caste Hindus to remove every vestige of untouchability, the main line of work will be constructive, such as the uplift of depressed classes educationally economically and socially, which itself will go a great way to remove untouchability. With such a work even a staunch Sanatanist can have nothing but sympathy. And it is for such work mainly that the League has been established. Social reforms like the abolition of the caste system and inter-dining are kept outside the scope of the League.

It has decided not to associate itself with politics or religious propaganda of any kind. With this object in view it is necessary that all whole-time paid workers of the League should not take part in politics or in any sectional or religious propaganda.

Work in Indian States should be commenced only after consultation with the State authorities and after securing their goodwill, sympathy and, if possible co-operation.

ALL-INDIA ANTI-UNTOUCHABILITY DAY

On the suggestion of Gandhiji himself, the 18th December, Sunday was fixed as the All-India Anti-Untouchability Day which was observed by the Hindu population all over India according to following instructions:—

" Door to door collections of funds for work of the Anti-Untouchability League is to be made everywhere. A few caste Hindus can set the example to others by cleaning the quarters of the Harijans and being of service to

them in similar and other ways. Games, sports and parties should be held for mixed gathering of Harijans and caste Hindu children. Processions and kirtan parties of Harijans and caste Hindus should be organised and general efforts made to bring the two together specially in the quarters of the latter. Public meetings should be held everywhere at which evils of all forms and grades of untouchability should be clearly explained and prayers offered for their speedy and total eradication. Resolutions may also be adopted at public meetings in favour of carrying on unremitting propaganda for the purpose as well as a special resolution in favour of the entry of the Harijans into all Hindu temples specially the one at Guruvayur."

Gandhiji had a special message for the day, in the course of which, he stated, among other things:—

This is a mass movement of self-purification.

I would invite the Sanatani friends not to stand aloof from this movement on the ground that they cannot reconcile themselves to temple entry. The service of no human being can be contrary to religious precept, much less can the service of Harijans be contrary to Hindu religion which regards them as a part of the Hindu society. There are innumerable acts of kindness they can perform by way of serving the Harijans who are truly children of God because forsaken by us.

GANDHIJI'S CAMPAIGN FROM JAIL

Gandhiji from jail launched a campaign against untouchability. In a series of statements which came upto nine, he exhorted on the need of the caste Hindus to shake off this age-old prejudice against a section who belonged to the same religion as they, and also on the necessity of the Harijans themselves to be educated and to be at arms against the social evils and corrupt practices prevailing among themselves.

In the course of the first statement, Gandhiji said, among other things.

"A fast, if it is to come, will not be for the coercion of those who are opponents of the reform, but it will be intended to sting into action those who have been my comrades or who have taken pledges for the removal of untouchability."

GURUVAYUR ISSUE

On p. 590 of the Second Volume of the *Recorder*, it is stated that a serious resistance to enter the Dwarikanath Temple at Guruvyur was given by the Zamorin of Calicut. It has also been stated there that Kelappan suspended his fast on the request of Gandhiji.

Gandhiji, in the mean time, sent a telegram to the Zamorin requesting the latter to try his best to get over all difficulties, legal or otherwise, in the opening of Guruvayur temple to untouchables. Gandhiji also stated, in the course of his first statement from the jail, "there is another fast which is a near possibility, and that is in connection with the opening of the Guruvayur temple.

"It was at my urgent request that Kelappan suspended his fast I would be in honour bound to fast with him if on or before January 1, 1933, that temple is not opened to the untouchables precisely on the same terms as the touchables and if it becomes necessary for Kelappan to resume his fast."

The Zamorin, however, could not do anything in the matter of opening the temple. He expressed his inability in a statement to the Press in the course of which he says:—

"A careful and dispassionate consideration of all the relevant circumstances cannot fail to impress any one with the insuperable difficulties, legal and otherwise, in the way of my taking any action in the matter of temple entry for untouchables.

"The various appeals that are being made for throwing open the temples to Avarnas proceed upon an inadequate appreciation of such difficulties. In these circumstances, there is hardly any justification for thinking that it is in my power to throw open the Guruvayur temple to the Avarnas as desired by the supporters of the temple-entry campaign."

Naturally, therefore, this Guruvayur question became the burning topic in this quarter. The public feeling expressed itself in many ways. To do away with the legal objections Dr. Subbarayan brought a Bill in the Madras Council and asked for the sanction of the Governor-General to give effect to it. Then again, on receipt of a telegram from Mr. G. D. Birla, the President of the Anti-Untouchability League, Mr. C. Rajagopalachariar went to Malabar to see the Zamorin. Ladies and gentlemen of importance, such as Urmila Debi of Bengal and Mrs. Gandhi herself carried on an extensive propaganda tour among the Kerala people to rouse a public feeling for temple entry. Meetings were held over many places and telegrams, requesting the Zamorin to give up the resistance were sent. Memoranda, signed by various number of persons from all provinces, were sent to the Raja of Calicut asking him to open the temple.

On the other hand, the Hindus of the orthodox class organised into Barnasram Swarya Sangha and sent volunteers to resist any entry into the temple. The result was that, in a few days, the compound and the surrounding places of the Guruvayur temple were filled with camps of these orthodox volunteers.

Great concern was felt for the life of Gandhiji to whose words no body could put any misrepresentation. Dr. Ambedkar did not think it necessary for Gandhiji to stake his life on such a comparatively small issue. He rather declared that the depressed classes would even forego such privilege provided other doors of social advancement be open to them.

Gandhiji told that he considered it a point of honour to fast according to his promise and he was going to do it not out of any temporary zeal but as a result of an inner call. "In my opinion it is the deciding test as to whether the orthodox Hindu mind has responded to the call of time or not and whether it is prepared to purge Hinduism of black mark of untouchability. Nothing, in my opinion will strike the imagination of the Hindu mass mind including that of 'harijans' as throwing open all public temples to them precisely on the same terms as caste Hindus. I feel that evil is so deeprooted that one must not make a choice between the different disabilities, but must tackle them all at once." He, of course, modified his conditions of fasting to this extent that if a referendum taken of those people of Kerala who were temple-goers and resided within some twenty miles of the temple went against the temple entry, he would refrain from fasting.

REFERENDUM AT GURUVAYUR

The whole energy was accordingly devoted to taking a referendum and on the 25th December, Mr. K. Madhavan Nair, Director of the Guruvayur Referendum, Mr. U. G. Gopala Menon, President Anti-Untouchability League, Kerala and Mr. C. Rajagopalachariar issued the following result of the votes taken.

Out of 20,163 opinions actually given and recorded excluding the refusals to vote, in favour of throwing the temple open to 'harijans' were 15,568 or 77 per cent, neutral—2,016 or 10 per cent; and against temple entry were 2,579 or 13 per cent. Those who voted for temple entry included more than 8,000 women. The report further states that even counting all those who refused to record their votes against temple entry the total opposition came to 36 per cent of the whole. Against this the percentage of votes recorded

in favour of temple entry together with neutral votes came to a total of 64 per cent of the whole.

DISCUSSION IN JAIL

Meanwhile, in the Yerwada jail, Gandhiji was engaged in a discussion with the Sanatanists who formed the orthodox block and wanted Shastric injunctions for or against the movement inaugurated by Gandhiji. There were several meetings between the pro-changers and no-changers—as the terms came to be used for and against temple-entry. In fine, Gandhiji put some ten test questions and the discussion was based on the answers given. But the no-changers could not cite instances from Shastric injunctions against the entry of Harijans to temples.

But neither the Zamorin uttered anything about these outside activities nor was it certain when the opinion of the Governor-General might be obtained as regards the sanction of Dr. Subbaroyan's Bill. On the 27th December Mr. Kelappan, on whom Gandhiji's own decision largely depended left Madras for Poona to interview Gandhiji to arrive at a common decision. It became inevitable that the fast might be undertaken by the 2nd January and a great concern was felt everywhere.

FAST POSTPONED

But on the afternoon of the 29th, Gandhiji, in an interview to a Press representative, said that he had decided to postpone his fast.

In a statement explaining the causes of postponement, he said, among other things, " In view of the official announcement that the Viceregal decision as to sanction for the introduction in the Madras Legislative Council, of Dr. Subbaroyan's permissive Bill with reference to temple-entry could not possibly be announced before the 15th January, the fast contemplated to take place on the second day of the New Year will be indefinitely postponed, and in any case up to the date of the announcement of the Viceregal decision. Mr. Kelappan concurs in his postponement

The fast was intended to secure the admission of Untouchables into the Guruvayur temple, and if its resumption is necessary in a legitimate manner to secure the opening, it will certainly come. If through the mere supineness of the reformers and the consequent want of expression of public opinion, demanding the necessary legislation to remove the block created by the decisions of the courts and the law of trusts or the Madras Religious Endowments Act, which itself was a measure affecting religion, naturally the fast has to be resumed—that is to say, the fast must be resumed for acts of omission or commission by those who are believed to favour the opening of the Guruvayur temple. "

PROCEEDINGS OF THE THIRD SESSION

THE personnel of the Third Round Table Conference which was to commence on or about the 15th of November was announced in a press *communique* issued on the 22nd October and it was as follows:—

INDIAN STATES DELEGATION

The State of Baroda to be represented by Rao Bahadur V. T. Krishnamachari; The State of Bhopal to the represented by Rai Bahadur Raja Oudh Narayan Bisarya; Bikaner to be represented by Sir Manubhai Mehta; Hyderabad to be represented by Nawab Sir Muhamed Akbar Hydari; Kashmir to be represented by Mr. Wajahat Hussain; Kolhapur to be represented by Rao Bahadur D. A. Surve; Mysore to be represented by Mirza Sir Muhammad Ismail; Nawanagar to be represented by Mr. Rushbrook Williams; Patiala to be represented by Nawab Liaqat Hyat Khan; the three States of Jaipur, Jodhpur and Udaipur to be jointly represented by Sir Sukhdeo Prasad; the small States to be represented, by the Raja of Sarila; the States of Rewa and Travancore have also been invited to nominate representatives.

BRITISH INDIA DELEGATION

His Highness the Aga Khan; Dr. B. R. Ambedkar; The Raja of Bobbili; Sir Hubert Carr; Mr. A. H. Ghuznavi; Sir Henry Gidney; Sir Muhammad Iqbal; Mr. M. R. Jayakar; Sir Cowasji Jehangir (Junior); Mr. N. C. Kelkar; Diwan Bahadur A. Ramaswami Mudaliar; Pandit Nanakehand; Rao Bahadur Sir A. P. Patro; Sir Purshottamdas Thakurdas; Sir Tej Bahadur Sapru; Dr. Shafaat Ahmed Khan; Sardar Tara Singh; and Chaudhuri Zafarulla Khan.

Again, on the 29th in another *communique*, the following were added to the list of British India delegates.

Sir Nripendra Sircar, Hafiz Hidayat Hussain, Mr. N. M. Joshi, to represent Labour and Begum Shah Nawaz, to represent Indian women.

BRITISH DELEGATES

Another *communique* published on the 4th November, stated that the general delegates would comprise Mr. Ramsay MacDonald, Lord Sankey, Sir Samuel Hoare, Lord Hallsham, Sir John Simon, Lord Irwin, Mr. J. C. Davidson and Mr. Butler, Under-Secretary of the State for India.

Non-Government delegates would be Earl Peel, Earl Winterton, the Marquess of Reading and the Marquess of Lothian.

The *communique* stated that the Labour Party were invited to nominate representatives but they preferred to defer participation in the discussions until a later stage.

The Lord Chancellor would take the chair in the Prime Minister's absence.

SESSION COMMENCED

The regular session commenced work on the 17th November. The Press was not allowed; only official statements were published from time to time. The whole proceedings that follow are based on authentic

press reports. Mr. MacDonald opening the Conference made a statement which reviewed the work of the previous Conferences and also the British Government proposals.

"AVOID REPETITION OF PAST DISCUSSIONS"

Sir S. Hoare explained that the object of the agenda was to cover questions not yet sufficiently discussed and to avoid a repetition of the past discussions. He expected that the Conference would end on the 20th December to enable the Government to consider proposals so that the Joint Select Committee of Parliament could get ahead in the next session. Sir S. Hoare suggested that a possible procedure was the allocation of certain days to certain subjects. It was generally not desirable to break up into small committees but in the case of finance and commercial safeguards the appointment of a small committee might be desirable after a general discussion by the conference.

PROVISIONAL AGENDA

The Conference agreed to the Premier's suggestion to establish a Press Committee and adopted the following provisional agenda, to which addition would be made as required:

(1) The report of the Franchise Committee, method of election and the size of the two Federal Chambers.

(2) Relations between Centre and Units (Legislative and Administrative).

(3) Special Powers and Responsiblities of the Governor-General and Governors.

(4) Financial safeguards and Commercial safeguards.

(5) Defence (Finance and connected questions).

(6) Federal Finance and the States Inquiry Committee Reports, as also Federal Finance.

(7) Fundamental Rights.

(8) "Constituent Powers" and the powers of Indian legislatures vis-a-vis Parliament.

(9) Form of the State's Instruments of Accession.

SECOND DAY'S SITTING

On the 21st November when the Conference met under the presidency of Lord Sankey. He followed the former procedure of introducing the heads of discussion. This day's discussions were carried on the method of election to provincial legislatures and the nature of franchise.

It was pointed out that the method of election and franchise for provincial legislatures and also British Indian seats in the Centre were not primarily the concern of the States and it was agreed to deal with these points before considering the size of the Central Houses which were of equal interest to the States and British India, but it was noted on behalf of the States that they might be concerned with the method of election to the British India portion of the federal legislature in view of Lord Lothian's recommendation to increase the British India portion of the Assembly to 300.

With reference to the Lothian recommendation of direct vote one member of the Conference expressed his predilection for the group system, another favoured adult suffrage, a third indirect election through electoral colleges, a fourth the Lothian recommendations subject to securing adult suffrage within ten years and two members were not persuaded of the soundness of the Lothian recommendations.

The general opinion of the Conference favoured the Lothian recommendations for the extension of franchise by direct vote, and also that

essential basis of franchise should be property qualifications with such modifications of detail as might be necessary.

ELECTORAL QUALIFICATION

The Conference proceeded to the question of the electoral qualifications, in which connection Sir Henry Gidney, pointed out the serious effect on the Anglo-Indians if property was the only qualification and stressed the effect of unemployment on the community, but he was assured that the property would be an alternative to educational qualification. The debate showed that the principle of the educational qualification was strongly supported by many members, but it was felt that the evidence was inadequate to show the number of additional voters who would thereby be enfranchised and that there were serious practical difficulties which required further detailed examination. The Conference agreed to the special provision required to secure that a larger percentage of the Depressed Classes should be enfranchised than as contemplated by the Lothian Committee for the Depressed Class population in each Province and that such differential qualifications for this purpose as the Lothian Committee suggested should be adopted to secure this result.

ENFRANCHISEMENT OF WOMEN

On the enfranchisement of women Begam Shah Nawaz insisted on the principle of equality with men and demanded the vote on the same terms, declaring that reservation of seats would impede women's progress, but if special measures were to be introduced she was prepared to accept the Lothian Recommendation. It was generally agreed that it was desirable to increase the enfranchisement of women but that there was a difference of opinion on the Lothian Recommendations, particularly regarding the proposed enfranchisement of the wives on their husbands' property qualifications.

The Conference proceeded on the 22nd November, to a discussion of the method of election of the British Indian seats to the Federal Assembly as also the franchise therefore. The general view favoured direct election and with regard to franchise it was generally agreed that the present qualifications for the provincial legislature were suitable. As regards the educational qualifications, the Conference appeared to favour the Lothian Committee's recommendations and it was in this connection pointed out that objections to them in the case of the Provincial Legislature did not have the same force administratively in the case of the Assembly.

On the 23rd November, the Round Table Conference discussed the problem of representation of minorities and special interests and the Federal Assembly and the proportion of seats to be given to special interests and communities. The Conference, at the outset, accepted the Lothian Committee's recommendation for adopting differential literacy qualification for the depressed classes. As regards the Commerce and Land-lords, the Conference favoured special representation in the Federal Assembly.

With regard to Labour, it was pointed out by several members that 8 seats were insufficient; but others expressed the opinion that it was sufficient, since, in all probability, Labour will be further represented through depressed class seats.

The spokesmen of Indian Commerce complained that the seats alloted to Indian commercial interest were insufficient and suggested an increase on the ground that there would be less inducement to take part in politics. Special representation for Bombay Millowners was also demanded.

The Conference unanimously agreed to accept the Lothian Committee's recommendation as regards representation of Land-lords.

On November 24, the Round Table Conference met with Lord Sankey in the chair and began consideration of the Legislative relations between the centre and the units and after a general discussion decided to appoint a small committee to test the general principles of these relations by applying them to the list of subjects suggested in the second report of the Federal Structure Committee.

The Committee would also re-examine, in the light of the general discussion, the definition of those subjects and the effect of recommendations made by the Federal Structure Committee in respect thereto.

FEDERAL POWERS OVER PROVINCES

The next sitting on the 28th considered the Federal power vis-a-vis the province, in which connection it was agreed to at the outset that the Federal Government should be empowered to devolve upon the Provinces exercise of any functions in relation to the administration of any Federal or Central subject wherever such an arrangement was financially and administratively convenient but the extra cost must be federally borne.

The Conference also agreed that the concept of a Federation involved the endowment of the Federal Government with specific authority to ensure Provincial Governments to give due effect to the Federal legislation but on the question of empowering Federal Government to ensure the administration of Provincial subjects unprejudiced by the administration of Federal or Central subjects it became clear that there were considerable difficulties in defining such Federal powers so as not to involve the possibilities of the authority to be conferred on the Federal Government to control the administration of the Provincial subjects.

On the question of the administrative control of Federal subjects the view of States seems to have favoured entrusting power to the Governor-General and not to the Federal Government.

On the 29th November, the meeting continued the debate on the administrative relations. Indian States desired the provision of all possible safeguards against encroachment by the Federal Government on the States' authority.

Discussion began on the special powers and responsibilities of the Governor-General and Governors. Federation, Responsibility and Safeguards being described as the three legs of the constitutional tripod. The British position with regard to safeguards was that they should be effective and the Governor-General, in addition to the control of Defence and External Relations, should discharge special powers and responsibilities regarding the following seven heads:

First, prevention of grave menace to peace and tranquillity.

Second, protection of minorities.

Third, statutory rights of the services.

Fourth, matters affecting departments under the control of the Governor-General.

Fifth, protection of the rights of the States.

Sixth, commercial discrimination.

Seventh, preservation of good relations with other parts of the Empire.

There should also be certain constitutional powers in the hands of the Governor-General, such as the dissolution of the legislature and assent to legislation. He should also be armed with powers in the event of a breakdown of the constitution.

There was no difference of opinion on the general proposition that, with Federation, Central Responsibility and certain Safeguards were essential, but Hindu Liberals emphasised that the Safeguards must not practically swallow Central Responsibility. It was urged that the sphere of Defence and External Relations to be reserved ought to be more closely defined and the Governor-General should not be empowered to override the Ministry on subjects definitely transferred to popular control.

On November 30, 1932 the spokesman on behalf of the Chamber of Princes explained that the Safeguards which the States wanted should be introduced as a condition to the Federation and mentioned that the States' internal sovereignty must be protected and their relations with the Crown must remain.

Lord Reading said that it was generally agreed that powers must be given to the Governor-General to carry out effectively the responsibilities entrusted to him and that it was absolutely essential that the Viceroy should have the power of issuing Ordinances with or without the agreement of Ministers in order to enable him to carry out his obligations with regard to finance in relation to certification in carrying the Governor-General's responsibilities.

BRITISH OFFICIAL STATEMENT

The statement on behalf of the British Government delegation was made at the conclusion of the Round Table Conference discussion on the special powers of the Governor-General and Governors; it stated that there had been three fields of discussion namely:

Firstly, the special responsibilities of the Governor-General and the Governors,

Secondly, reserved powers, and

Thirdly, the important field which covered the methods by which reserved departments were to be administered and whereby the Governor-General and Governors were to carry out their special responsibilities.

With regard to special responsibilities two overriding suggestions might be made:

(1) They were to be definitely restricted and there was to be no question of special powers being exercised over undefined or any but a limited field.

(2) These special powers would be exercised with commonsense. The suggestion was that, on the whole, in the past, the British Governor-General and Governors had carried out their duties with remarkable commonsense and neither the Governor-General nor the Governors were going to use these special powers in a foolish way or apply them in such a manner as to make responsible Government either at the Centre or in the Provinces impossible.

In the field of special responsibilities there was, firstly, the difficulty in the field of finance. The Conference would, in due course set up a special committee to deal definitely with that very complicated and difficult question. Next, there was the question of commercial discrimination where also it was intended to set up a special committee.

SAFEGUARDS FOR MINORITIES

Thirdly, there was the question of minorities. The debate had shown that the minorities' safeguards were definitely safeguards in the interests of Indians.

The reopening of the discussion on the communal award had been prevented; but that was not due to lack of sympathy with the cause of the minorities in the Punjab or any province. The Government delegation listened

with great interest and sympathy to what was said by certain Punjab representatives and it was to meet this kind of anxieties obviously felt, that the Government delegation attached so much importance to the minorities' safeguards really being effective.

The suggestion was made that in the administration of Law and Order the Governor should be advised by a Committee of representatives of the various communities. But, probably, first of all that would make it impossible for the Governor to act quickly in an emergency and, secondly, as long as communal feeling was acute, as at present in certain provinces, a committee composed of members of each community was unlikely to give a unanimous advice. Therefore the better course was to give the Governors special powers and possibly the Instrument of Instructions of the Governor-General and Governors would advise them as far as it was possible to see that fair representation was given to the chief communities in the Governments, in the Provinces and in the Centre.

Among other suggestions regarding the treatment of minorities was that we should depend to a great extent upon a declaration of fundamental rights and the intervention of the Federal Court, but that procedure would be too long, ponderous and would mean too great a delay. Over and above the safeguard of the Federal Court and any declaration of fundamental rights that might be included in the constitution, it was essential that the Governor-General and Governors should have the kind of powers which they had been discussing.

THE SERVICES

Next came the special field of responsibilities connected with the Services. More than a Public Services Commission was required. By all means they would have Public Service Commissions in the Centre and the Provinces, but over and above that they must make sure of a fair deal for the Services.

RELATIONS WITH STATES

Then there was the question of the special responsibility of the Governor-General in the field of relations with States. Paramountcy was outside the Federal Constitution altogether. Paramountcy was a direct relation between the Crown and the Princes. Secondly, this heading was not intended to apply in any way in the Federal field, where recourse would be had to the Federal Courts. Thirdly, some observations had been made with reference to cases outside the Federal field and it had been implied that if certain procedure was adopted in dealing with justiciable cases between the Crown and the Princes the States would not require any action under the heading. But that went rather too far. Even outside the assumption made, there might be cases in which the States should be able to have recourse to the Governor General.

IMPERIAL RELATIONS

The fourth field of the special responsibilities of the Governor-General was described as Imperial relations. It was not intended that the Governor-General should normally intervene between the Indian and a Dominion or a Crown Colony administration. There was no intention whatever to intervene in types of cases such as the conditions of Indian Labour in South Africa or Kenya. What was in mind was an emergency in which the relations became so strained between the Federal Government in India and the Government of one of the Dominions that there was danger of a break-up of certain parts of the Empire but the Government delegates were very much impressed by the course which the debate took yesterday and on Wednesday and were convinced of the danger that this item would be liable to very grave misrepresentation in India itself.

Taking that into account, they were prepared to look into the question again. They should have some discussion with the members of the Conference who were specially interested in the question, so that they might see whether they could not cover what was necessary in some manner less open to misunderstanding. They were sympathetically inclined to what was said yesterday, but it needed a little more to look into it.

GOVERNOR'S SPECIAL POWERS

Referring to the Governors' powers as distinct from the Governor General's the statement said that it had been suggested that the Provincial Governors should have no power of issuing Ordinances. The Government view was that it was in the Provinces themselves that the kind of dangers might ultimately arise against which it was desired to provide safeguards and it was essential that Provincial Governors should have power to act. In such a case they would of course act in close liaison with the Governor-General. When Law and Order was transferred it seems much better that it should be in the power of the Governor to act in an emergency rather than the Governor-General and that was why Provincial Governors should have special powers in addition to the powers exercised by the Governor-General. It was not contemplated that in the future there would be any formal difference in the status between one Provincial Governor and another.

RESERVED SUBJECT OF FOREIGN RELATIONS

No difference of opinion existed in the Conference about the list of reserved powers. The only difference, if any, was as to the content of the Departments and as to the meaning attached to the various headings. By foreign affairs nothing more was intended than that set out very clearly in the fourth report of the Federal Structure Committee.

The general result was that the precise definition of the boundaries of reserved department might be difficult and etven impossible but that while the reserved subject of "external relations" would certainly include all matters arising out of or directly affecting political relations with countries external to India (for example, Persia, Afghanistan, or the Frontier tracts), yet commercial economic or other "non-political" matters, even though they might involve international questions, would be dealt with by the "transferred" departments concerned with the subject matter and the question whether in any given case the Governor-General would accept the advice of the Minister responsible for the subject matter would depend on whether he regarded that advice tendered ex-hypothesi, on a matter which might affect his responsibility for external relations in the strict sense, as inconsistent with the discharge of that responsibility. If he did regard it as inconsistent he would be entitled to overrule the Minister. If not the Minister's advice would be accepted.

COMMERCIAL TREATIES

Commercial treaties were sometimes suggested as suitable for the trans fer to Ministerial control. The position would be very much in fact what it was here (Britain). The actual negotiating of treaties would probably be conducted in the Governor-General's department of reserved affairs and the department would retain control throughout of the correspondence, just as the Foreign Office did here At the same time the subject matter of the treaty would naturally be referred by the external affairs department to the department immediately concerned with its subject and the question whether the Minister's advice could or could not be accepted by the Governor-General would depend on his view of the reactions of that advice upon his own responsibilities. That was the position accepted in the two previous reports

of the Federal Structure Committee and it was the only kind of arrangement that would work in these special circumstances.

Defence was not dealt with, as it was to be discussed almost immediately.

ECCLESIASTICAL POWERS

Referring to "Ecclesiastical Powers" the statement said that nothing more was meant than that the department would fulfil the legitimate needs of the Army and the Services. It was intended that the scope of reserved powers should be limited ultimately to the purpose of making adequate provisions for the Army and Civil officials. The Government of India was now re-examining the whole position with that object. The provision to be made for the Army would have to involve the continuance of the present arrangement whereby reasonable provision would be made for the requirements of troops and other persuasions, for example, Roman Catholics and Non-Conformists, but it was unlikely that the wide powers given under the Government of India Act would be retained in the present form, or possibly, if retained, they would be made subject to the assent of the legislature by vote.

MINISTERS AND ACTION UNDER RESERVED POWERS

Coming to the very important questions connected with the methods by which Governors and Governor-General were exercise the reserved powers and the sharing of responsibility between the Governor-General and Governors on the one hand and the Federal and Provincial members on the other the statement said that nervousness had been shown that nobody in India would know where the one responsibility began and the other ended. There was also nervousness lest this kind of diarchy might be used to drive a wedge between the Ministers and the Legislature. That is to say the Minister might be forced into action by the Governor-General or Governor that would embroil him with his majority in the Legislature and the latter would not realise the fact that the action had been taken not upon the advice of the Minister but upon the direction of the Governor-General or the Governor.

The point was important. Certain delegates suggested that in drafting the Bill these two fields of activity should be kept as distinct as possible. The Government delegation would look most sympathetically into the questions. There would be no difficulty in setting out specifically in the Instruments of Instructions to the Governor-General and Governors that where they were not acting under their special responsibilities they were acting on the advice of responsible Ministers. The instructions might specifically be approved as part of the constitution by Parliament.

GOVERNOR-GENERAL'S LEGISLATIVE POWERS

Then there was the question whether the action of the Governor-General and Governors was always to be by Ordinance or whether there should be such things as Governor-General's Acts in addition to the Ordinances. If the Governor-General was to have effective powers for carrying into effect his special responsibilities, he must have powers that did not come to an end in six months. There were certain measures he might have to take for which purely temporary enactments of that character would not prove satisfactory.

As regards the Ordinances that might have to be issued outside the field of the special responsibility of the Governor-General and Governors there was no need for misgivings. Such Ordinances would only be issued in an emergency upon the advice of responsible Ministers. The procedure would be rather on the lines of the procedure in Great Britain namely, under the Special Emergency Powers Act under which the appropriate Ministers could issue an order for a period subject, at the end of the period, to the approval of Parliament. The Government were ready, as far as they could, to meet

the general view expressed that, where the Governor-General's special responsibilities began must be clearly defined, but they must not carry such dyarchy too far. Instead of creating an impassable gulf between the transferred field and the reserved field, between the special responsibilities of the Governor-General and the general responsibilities of the Minister these two fields should as far as possible be brought together.

POSITION OF THE LEGISLATURE

It was contemplated that the constitution would be worked on the basis of commonsense, so that in 99 cases out of 100 even in the field of special responsibilities, the Governor-General and Governor would not have to take action. If, for example, a case of discrimination against minorities was brought to the attention of the Governor-General, he would have to call the Ministers for consultation, have the case treated as a matter of urgency and, with sound co-operation, the case should be met not by a special measure but by a Minister or, if necessary, by a legislative measure. It was hoped that even in the field of legislation where it was possible for the Ministry, the Governor or Governor-General should agree that the Ministers should introduce legislation to carry out their special responsibility in many cases in the Federal Chamber or the Provincial Chamber and in many cases that legislation would be carried without the need of special powers.

But where the needs of the case were only met by a permanent measure, like safeguarding the interest of a minority, there were obvious advantages of the Governors hearing the views of the Legislature before the final decision. Where he was not able to accept their view the final enactment would not be represented as an Act of the legislature, nor would a Ministry sharing the legislature's view be expected to accept responsibility for it.

ARMY QUESTION

Sir Samuel's statement on the Army question contained the following points among other matters:

There was the overriding question of military efficiency. They were making experiments which they hoped would succeed with the goodwill and desire to make it succeed but no one at present could say looking over the period of years how completely it was going to succeed, still less how quickly. What effect, for instance, was it going to have upon the general standard of the Indian Army. How soon were those cadets who had just entered the Indian Sandhurst for the first time going to qualify themselves in the years to come for promotion in higher ranks.

POLICY OF INDIANISATION

The most they could do was to state quite categorically that their policy was the policy of Indianisation in as large a measure as was consistent with efficiency. Let them not think that the Government had no programme, namely, Indianising of the Indian Division and Indian Cavalry Brigade and it was hoped that they would have other programmes of the same kind when they had seen how that experiment was going. That experiment proceeded. If it proceeded satisfactorily they would be able to have more ambitious programme than that on which they were now engaged.

A series of constitutional or semi-constitutional questions had been raised during the debate. There were two ways of dealing with those questions, the way of statutory enactment and the way of constitutional usage. On the whole the British Government greatly preferred the way of constitutional usage.

DEFENCE MINISTER

It had been proposed first of all that the Defence Minister should be of necessity a member of the legislature but it was much better to retain the decision of the Federal Committee last year, namely, that the Governor-General's discretion should be unfettered. It should be unfettered so that he could have a British or an Indian Defence Member, a member of legislature or someone not a member and the Government took the view very definitely that was really a much wiser course in the present circumstances.

Next there was a proposal that there should be a Statutory Defence Committee and the Statutory Defence Committee should have imposed upon it certain definite duties. There again the wiser course was to leave things to develop by usage. It seemed much better to leave the question of that kind to be solved in relations between the Governor-General and the Assembly. It could be hoped that that kind of relations that had existed hitherto would continue, indeed, could be greatly improved. It could be hoped that if the Legislative Assembly wished to have a committee of that kind and it seemed an essentially internal affair for any assembly to settle for itself, the closest relations would exist between the Governor-General's officials on the one hand and the committee on the other.

He would very much like to see the Indian Committee of Defence on the lines of the British Committee of Imperial Defence in addition to the Army Committee of the Assembly.

It may be also that they could put in something at the same time about bringing Indians more and more into active co-operation in defence activities. They had looked most sympathetically at both those suggestions and there was no reason why in some form or other they should not embody them in the constitutional Act. Sir Samuel Hoare ended by saying that difference of opinion was not difference of principle. It was only a difference of method. Rightly or wrongly the Government believed that their way of constitutional usage was safer and better and it would be wiser that they should take it rather than the method suggested in the statement (Mr. Jayakar's statement) * read out earlier.

FEDERAL FINANCE

The Conference, on the 6th December, in addition to discussing defence also started the debate on Federal Finance, which was opened by Sir Samuel Hoare who emphasised the importance of both the Central and Provincial Governments starting with freedom from deficits. He said that the Federal Government would need the whole of the present income and indicated the impossibility, therefore, of transferring Income Tax to the provinces since in that event the latter would be compelled indefinitely to repay the amount realised from Provincial contributions and it would be unwise to contemplate indefinite continuation of the contributions.

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* Mr. M. R. Jayakar's statement to which Sir Samuel Hoare, referred crystallised the views of the British Indian Liberal Hindu delegates and asked for a declaration in the preamble that defence would be an increasing concern of Indians and that the Governor-General who would have control of the Army for the transitional period should take steps to achieve Indianisation and prepare a programme for that purpose. The Defence Minister should be appointed by the Governor-General from the legislature and be responsible wholly to the Governor-General. The Minister should be a member of the Cabinet and deliberate jointly with the Ministry. The army policy should be discussed by a combined cabinet but with Governor-General was to have the final voice. With regard to the supplies the Army Budget should be discussed by the legislature but not voted and estimates should be submitted to a committee which was to include certain ministers in addition to experts. The approval of the legislature was necessary for employment of the Army outside India.

Sir Samuel Hoare said that the Government were most anxious to give the province real autonomy. But he believed that nobody was prepared to establish Federal Government with insufficient revenue. The Federal Government would not be solvent unless it was given the main part of the present Income Tax. Taking India as a whole, both in the centre and the provinces the receipts this year were not expected to balance expenditure. They were, therefore, faced with a two-fold problem, firstly, devising emergency measures to enable the reforms to be introduced and, secondly, embodying in the constitution permanent provisions for the adoption of taxation powers and resources.

As the financial position improved certain specified heads of Central revenue would be transferred and provision would be made for imposition by the Federal Government of special taxation for the benefit of the units, in which connection excises were mentioned. Sir Samuel Hoare feared that the provinces would regard the arrangement as a poor substitute for Lord Peel's plan, but the financial stability of the Centre was vital.

Sir Samuel referred also to the separation of Sind and Orissa, which was linked up with the whole problem and pointed out that the British Government accepted the principle of separation of Sind subject to satisfactory financial arrangements. This was also accepted last year by the Round Table Conference.

Sir Samuel Hoare considered it satisfactory that the Brayne Report provide a reasonable working hypothesis but Sir Samuel considered that the Government of India's sharing the accumulating interest on the Lloyd Barrage debt between Bombay and Sind would be inequitable to Bombay and inconsistent with the principles on which separation ought to be effected. The initial deficit of three quarters of a crore to be extinguished in fifteen years must, therefore, be contemplated, and the Round Table Conference must take this into account in discussing Federal Finance.

As regards Orissa it was impossible to make so definite a statement but the possibility of separation must be considered. The British Government had not yet reached a decision, though an announcement must shortly be expected. Meanwhile, the Round Table Conference should consider the financial difficulties involved.

DEMAND OF MAKING IT VOTABLE SUBJECT

Among subsequent speakers considerable opposition was expressed to making income-tax central and it was urged that the reduction of military expenditure would assist the solution of difficulties of the Central Government. This view was submitted by Sir Cowasji Jehangir (Jr.) who supported the Peel Report and suggested that Federal deficit should be met by contributions from provinces which would terminate after a fixed period.

Sir Purushottamdas Thakurdas warned them against over-burdening the provinces in order to balance the Central Budget. He also criticised military expenditure.

Sir A. P. Patro suggested that income-tax should be provincial but that federal government should receive proceeds for a temporary period. Meanwhile deficit in federal finances should be met by exploitation of other sources of revenue and retrenchment.

Dr. Shafaat Ahmed Khan opposed centralisation of income-tax which would be tantamount to a return to the doles system. For provinces this was extravagant because provinces with the most influence and the loudest voice got most money.

Sir Hubert Carr, emphasised the necessity of maintaining federal credit, while providing the provinces with sufficient money. He thought income-tax ought to be provincial.

QUESTION OF DEFENCE.

The "Free Press" Special Commissioner cabled on December 6.

The following is the text of the statement which Sir Tej Bahadur Sapru read at the morning session of the Round Table Conference, on the question of defence to-day and which led to a breeze between him and Sir Samuel Hoare:—

"The preamble of the Bill must include a declaration to the effect that the question of defence is an increasing concern for the people of India and not the British Government alone (note: vide clause 1 of the Defence Sub-Committee's report presented at the first Round Table Conference). The Governor-General shall control the Army during the transitional period and shall take steps to achieve India attaining responsibility for Defence in the shortest period consistent with the safety of the country and efficiency of the Army. The Government shall prepare a programme in consultation with the British and Indian exports to provide (1) that the Governor-General shall control the entire Defence during the transition period, (2) that the Army Minister shall be selected from amongst the elected members in the legislatures and shall be responsible wholly to the Governor-General, and (3) the Army member shall be treated as a member of the Cabinet.

"The entire Cabinet shall discuss all questions affecting the Army policy but the decision of the Governor-General shall be final on all occasions. The Army Member shall prepare an estimate after consulting the Finance Department and shall submit the same to a committee consisting of the Premier, the Army Member, the Commander-in-Chief, the Member-in-Charge of Foreign Relations, the Finance Member and the Minister of the Interior. The Governor-General's decision on the Committee's recommendations will be final.

"The Indian Army shall not be employed outside India without the sanction and approval of the legislature."

A protest against Sir Samuel Hoare's statement on Army and Finance, was submitted by eleven British-Lndian members of the Round Table Conference to Lord Sankey, the Working Chairman.

The letter was signed by Sir Tej Bahadur Sapru, Mr. M. R. Jayakar, Sir Purshotamdas Thakurdas. Sir Cowasji Jehangir, Mr. N. C. Kelkar, Mr. Mr. Ramaswamy Mudaliar, Dr. B. K. Ambedkar, Sir N. N. Sirkar, Sirdar Tara Singh, Pandit Nanakchand and Mr. N. M. Joshi. The signatories declare that they are totally dissatisfied with the statement made by Sir Samuel Hoare on Tuesday with regard to the future of the army, and of finance, and that they are considerably perturbed at the future of the Conference itself. The signatories desire to place on record, therefore, their joint warning to the Cabinet that Sir Samuel Hoare's statement on the army will not be acceptable to any section of Indian opinion. The Constitution embodying the views expressed by Sir Samuel Hoare, the signatories aver, is likely to be found wrokable in India. It is believed that Lord Sankey handed the letter to Sir Samuel Hoare himself. It is also understood that the India Committee of the Cabinet considered the letter, but confirmed Sir Samuel Hoare's views. The India Committee of the Cabinet having also lent its support to these views, it is believed that they will finally prevail.

PROVINCIAL FINANCE.

The Round Table Conference resumed on December 7 discussion on Federal Finance. The justicite delegate emphasised the impossibility of introducing the new constitution with provincial deficits and urged that Income Tax should be allocated to the provinces and Orissa separated. The

speaker for Moslems accepted the Peel recommendations with regard to provincial finances.

General agreement was expressed with the Percy Committee's list of revenue sources. A Conservative delegate doubted the mission of the proposed surcharge and emphasised the necessity of giving the provinces independent power of external borrowing. On behalf of European interests the opinion was expressed that the provinces must ultimately get the proceeds of the Income Tax while provincial surcharge were opposed.

States representatives took a leading part in proceedings on December 7. Sir Akbar Hydari explained that any apparent inconsistency in his attitude by pointing out that he had signed the Pecl report, was subject to an accuracy of their date and return of normal conditions which, however, had not been fulfilled. He pointed out that States would only join a solvent concern whereas seven out of nine provinces at present were deficit, while the centre would also require a certain amount of money. It was, therefore, necessary to place income-tax at the disposal of the Centre for service of pre-federation debt. for its backing and subventions to provinces. As regards the future Sir Akbar Hydari is understood to have said that when the Centre and provinces would balance their budgets without the aid of income-tax it could be reduced, but the power of imposing it should be retained for emergencies and in that event the States would make their proportionate contributions for which they would make their arrangements.

Sir Manubhai Mehta on behalf of the Chamber of Princes is reported to have supported the provincialisation of income-tax and said that the States would only contribute indirectly to the Centre and would not be responsible for unsecured prefederation debt. He urged reduction of expenditure to the irreducible minimum in which connection he referred to military expenditure and said that if financial stability was achieved the States entry would be easier

Other speakers included Mr. A H. Ghuznavi who contended that the claims of Bengal in respect of the jute export duty both on principle and equity were irrefutable. He urged that if it was necessary to retain income-tax for the Centre at present it should be transferred to provinces when prosperity returned.

RESIDUARY POWERS

The " Free Press " Special Commissioner understands that the Sub-Committee appointed at an early stage of the Conference to report on the functions and adjustment of relations between the provinces and the Centre have submitted their report. The report largely relates to technical and legal drafting on various aspects of the Constitution excepting on the question as to whether the Residuary powers should rest with the Federal Government or with the federating units.

FROM BOMBAY

The Council of the Western India National Liberal Association sent the following cable to His Highness the Aga Khan, Sir Tej Bahadur Sapru, Sir Cowasjee Jehangir (junior) and the Lord Chancellor:—

"The Council feel strongly that the statement of Sir Samuel Hoare was disappointing specially the wide reserved powers of interference for the Governor-General and Governors with authority to promulgate Ordinances and also permanent acts and to appropriate funds. The Council is seriously concerned about the reactionary attitude of the Government about defence and the Indianisation of the army. If the present scheme is adhered to, Indianisation will take more than a century to materialise. The least that

will satisfy the country is the Rawlinson Scheme. The Council urges the Indian delegates to make a firm stand against safeguards rendering responsibility a mere shadow. Sir Tej Bahadur's proposals are the minimum that the Moderate opinion will accept."

According to a communique issued on December 8 the Round Table Conference concluded general discussion on Federal Finance.

The spokesmen of the Chamber of Princes expressed the opinion that Princes were unwilling to shoulder the pre-federation debt. It was essential that the States should be satisfied that expenditure of the Federal Government will be reduced to the minimum, especially military expenditure. As regards powers of taxation the States were determined, that the federal sources of revenue must be indirect, and ordinarily the excise sources must belong to the States.

In the event of emergency they might give over the proceeds as also forego immunities, and eredits in respect of the State forces. Otherwise, as far as war and emergencies were concerned, the States wished to remain on the same voluntary basis as in the past.

The Bengal delegate refferning to the export duty on jute claimed the right to levy the tax, and wanted that the proceeds should belong to Bengal, although he recognised that the two neighbouring provinces might also advance claims for a share in the proceeds.

The Madras Landowners' representative, presumably the Raja of Kalikot, urged for the separation of Orissa.

The Round Table Conference reassembled on December 19 under the presidency of Lord Sankey and continued discussion of the Fundamental Rights and Constituent Powers.

In the course of the discussion of Fundamental Rights, it was contended on behalf of the Princes that these were not among the matters on which the States were federating and that there should be no declaration such as the Right of Institution. Alternatively, if they were included there should also be a provision for securing the inviolability of treaties with States protecting Paramountcy and preventing the extension of the sphere of Federal subjects.

BRITISH GOVERNMENT ATTITUDE

The British Government spokesman, summing up, pointed out that no such declaration of Fundamental Rights appeared in the British constitution or in the majority of Dominions constitutions. It was thought India might need some statement of rights included in the constitution, but the number specially included should be as small as possible. Otherwise Indians would restrict their own rights to legislate. Indians in their own interests, therefore, should pause. If they insisted, the British Government must consider the possibility of including such rights but as simple and flexible a constitution as possible was wanted. Whereas Fundamental Rights crystallised a constitution, they robbed it of simplicity and flexibility. They should not tie themselves up too closely and should recognise that a Federation could not be based on apprehension.

Lord Sankey summing up is reported to have pointed out that fundamental rights were partly legal and partly political. They could not have federation unless the people wanted to federate. Federation should be based on mutual trust and confidence. The constitution should be business-like and not ramshackle pieces taken from various constitutions and patched up. Fundamental rights should be a restriction on Ministers and legislatures.

The Conference proceeded with the discussion of Constituent Powers, namely, the extent to which the provisions of the Constituent Act were to be subject to alteration by Indian legislation.

· Discussion showed that it was possible to classify such amendments under three headings:—

First, amendments on matters of details involving only simple constitutional machinery,

second, more important amendments involving relations between Federal elements, and

third, vital and fundamental amendments.

SUPREME COURT

The Conference took up the question of the Supreme Court on the 13th December.

A British Indian speaker advocated one court divided into Federal and Supreme Divisions, instead of two distinct courts.

This point was also made by another British Indian speaker, who asked why the tax-payer was called upon to pay by two courts. Some of the speakers favoured the establishment of the Supreme Court immediately and others wanted powers inserted in the Constitution fofr its establishment. Later, opinions were varied regarding the right of appeal to the Privy Council. It was argued that if Dominion Status was to be aimed at the establishment of a Supreme Court was essential.

A States speaker admitted the necessity of establishing a Federal court, but suggested that the Supreme Court was not an immediate necessity.

CONFERENCE CONCLUSIONS

These conclusions are embodied according to a " Free Press " special correspondent in a comprehensive series of documents which the Secretariat has circulated among the delegates, as recording the effect of the discussions under the various heads.

These are set down under nine principal heads as follows:

1. Franchise, mode of election and size of legislatures.
2. Division of administrative and legislative functions of the Federal Government and its units.
3. Governor-General's and Governors' special powers.
4. Financial and commercial safeguards.
5. Defence.
6. Federal finance.
7. Fundamental rights.
8. Constituent powers.
9. Instruments of accession of States towards the Federation.

Reports embodying conclusions on financial safeguards, constituent powers and federal finance have not yet been circulated.

The basic features of the constitution are comprised in the special powers for the Governor-General and Governors, Defence and Finance.

Importance attaches primarily to the special powers. The following concise statement in the report relating to the special powers is so clearly stated that it leaves no room for doubts.

EXECUTIVE POWER

According to reports the Conference accepted as a fundamental proposition that executive power and authority vests in the Crown, as represented by the Governor-General and Governors, but providing that where specified the Governor-General and Governors will be guided by the advice of responsible ministers and will also depend for legislative enactments and sup-

plies on the concurrence of legislatures, and where ministers were not entitled to give advice constitutionally, it is proposed to include in the instruments of instructions that they should advise the Governor-General to ensure the fullest consultation and discussion between himself and his advisors in the reserved departments, and the Ministers where co-ordination of policy is called for.

It is also proposed to make it clear that where responsibility rests with the Governor-General decisions in such matters shall be entirely by the Governor-General himself.

According to report the conference included defence, external relations and ecclesiastical departments in the reserved department, but decided against defining the contents of Defence and external relations, reserving to Ministers only auxiliary and non-vital aspects. It is stated that the conference was of the view that as regards defence such a definition will result in inefficiency. While a definition was unnecessary as regards external relations.

The report, however, record, that in regard to matters in the charge of a Minister, the mere fact that a question involves internal negotiations, does not convert it into the reserved side.

MINISTER'S ADVICE

Discussing the transferred sphere, the conference according to report, laid down that Ministers are entitled to advise the Governor-General and the Governor-General would accept their advise normally, but it was necessary to provide for occasions when the Governor-General will be entitled to disregard such advice.

The Conference, therefore, decided to provide that the Governor-General shall be guided by Ministers in the transferred spheres, except when so to be guided will be inconsistent with his special responsibility in which case the Governor-General shall act according to his discretion, securing due fulfilment of his special responsibility, notwithstanding the Ministers' advice.

SPECIAL RESPONSIBILITIES

According to the report the Conference decided to create the following matters as special responsibilities of the Governor-General:

1. Prevention of grave menace to the peace and tranquillity of India or any part of India.
2. Protection of minorities.
3. Preservation of States' rights.
4. Preservation of rights of Public Services.
5. Administration of reserved departments.
6. Prevention of commercial discrimination.
7. Safeguards which the Financial Safeguards Committee recommended.

The conference decided not to include as a special responsibility maintenance of good relations with other parts of the Empire, holding that the Governor-General's power to veto legislation was adequate.

The conference also decided to vest in the Governor-General the following discretionary powers:—

1. Power to dissolve, prorogue or summon the legislature.
2. Power to summon emergent joint session of the two houses.
3. Power to assent or withhold assent or to reserve at His Majesty's pleasure.
4. Power to accord or withhold previous sanction to bills relating to religious rights and usages, repealing or amending any ordinance or special act of the Governor-General.

5. Power to prevent discussion or further discussion on any measure which is liable to endanger peace and tranquillity.

6. Power to take action notwithstanding the adverse vote of the legislature.

7. Power to make legislative rules.

8. Power to enact permanent legislation on his own authority, called Governor-General's Act.

9. Power to restore, reject or reduce grants, making it clear that it involves his own responsibility and not of the ministers.

10. Power to issue ordinances.

CABINET ORDINANCE

The conference also provided powers for the Governor-General acting with his ministers, to promulgate Ordinances for limited periods when the federal cabinet will consider same necessary.

The report states that the conference favoured enabling the Governor-General to enact Laws to secure supplies without reference to the legislature and without acting with ministers, in order to relieve the ministers of all responsibility in these acts of the Governor-General, attaching importance in making it clear that the Governor-General, when so acting, is doing it without the advice or consent of the cabinet.

GOVERNORS

According to the Report, the Conference is of opinion that all powers vested in the Governor-General which are applicable to the provinces should be vested in the Governors also.

The conference also recommended, says the report, vesting Governors with the powers for the purpose of executing the Governor-General's instructions as regards his special responsibilities and also to disregard provincial cabinet's advice when it conflicts with the Governor-General's instructions.

The report makes it clear that Governors and Governor-General are responsible to His Majesty's Government and Parliament regarding the Reserved and special spheres. The Conference is also reported to have desired the incorporation of provisions enabling the Governor-General to assume plenary powers in order to carry on the King's Government when the constitution breaks down completely. The report rather vests the Governors with powers to issue ordinances.

DEFENCE

As regards defence, the report records rejection of all suggestions made by the Sapru group except re-affirmation of the principle that defence will be increasingly a popular concern.

The report also records the rejection of Sir Tej Bahadur Sapru's demand for:

1. A committee to report on the policy of Indianisation.
2. Selection of army member from the ranks of the elected legislators.
3. Cabinet Army-committee to scrutinise the army estimates.
4. Fullest rights of discussion on army estimates in the Federal legislature.
5. And non-use of Indian troops outside India without legislature's sanction.

ADMINISTRATION

Discussing administrative and legislative relations between federal units, the report favours retention of existing practice and use of provincial agencies for federal purposes, the federation sharing only in the cost. It also recommends securing for the federal government, authority to ensure that

the provinces do execute the federal laws and so to say that they do not administer provincial laws prejudicially affecting the federal laws.

But Provincial Governments will not be acting with ministers as regards law and order for which they will act as agents of the Governor-General.

THE STATES

As regards the States, powers are to be vested in the Governor-General and not in the Federal Government to superintend the States' administration of federal laws and federal subjects As regards franchise, the report records general acceptance of Lothian recommendations viz:

1. Extension of franchise by direct method;
2. Property qualification essential as basis of franchise;
3. Enfranchisement of women fulfilling property qualifications;
4. Enfranchisement of women in proportion of two women to nine men;
5. Enfranchisement of 10 per cent. of the depressed classes;
6. Literacy in depressed classes, sufficient franchise qualification;
7. Military service as franchise qualification;
8. Direct election to Federal Assembly;
9. Indirect election to Federal Senate, provincial councils electing by single transferable vote;
10. Conversion of the existing provincial electorate into electorate for Federal Assembly, excepting in the Central Provinces, where the existing provincial electorate is to be doubled;
11. Reservation of one seat for women in the Federal Assembly, from each province;
12. Reservation of eight seats for labour in the Federal Assembly;
13. Four seats for Indian commercial interests and four seats for European commerce;
14. Existing representation of landlords to continue.

As regards States' representation, no mention of it is made in the Report.

Regarding the size of the Federal Legislature, the report records disagreement by various sections, and makes a proposal to grant the States one-third representation in the Federal Assembly and 40 per cent. in the Upper House. This proposal appears to hold the field.

PROTESTS

The report also records the protest made by Sir Purshottamdas Thakurdas regarding inadequate representation of Indian commerce both in the Provincial and Federal Legislatures; and also Begum Shah Nawaz's view favouring direct election for women through women's constituencies.

Mention is also made of the request made on behalf of Bombay and Ahmedabad millowners for continuance of their existing representations.

STATES' ACCESSION

States' instruments of accession, was considered at a meeting on December 22 under the chairmanship of Lord Irwin attended by Mr. Davidson and Mr. Butler, States' representatives, certain legal experts and officials, the report of which says that it was agreed that the Federation will derive its powers partly from the powers which the rulers of the States would agree to cede for purposes of Federation only and transfer to His Majesty for exercise by the Federal Government, legislature and other Federal organs. In order to effect this transfer an agreement will be made by each State with the Crown which might be termed the Instrument of Accession.

It was also agreed that the accession of States whose rulers for the time being are not exercising ruling powers will have to be postponed until they are possessed of ruling powers and, as regards the consequent reduction at

the outset of the strength of the States' representation in Federal Legislature, it was considered that the question would require further examination. In connection with the size and composition of the legislature it has been accepted that a formal conclusion of agreements between the States and the Crown could not occur until Parliament has approved of the Federal constitution and it is contemplated that the provisions of the Act with regard to Federation will not take effect immediately, but the Act will contain a proviso that they should be brought into force after a specified period if and when "so many States" have acceded.

PLENARY SESSION

The final session of the Conference was held on the 24th December, Lord Sankey was in the chair. The meeting was thrown open to the public for the first time since the Third Round Table Conference commenced.

KING'S MESSAGE

The meeting concluded with a message from the King in which His Majesty said that he would study with deep interest the report of the deliberations. It was gratifying, to learn that the spirit of good-will had prevailed throughout the meetings and he felt confident that the labours undergone would prove to have strengthened the partnership whose strength and endurance were of such consequence to all His Majesty's heople.

SIR SAMUEL'S STATEMENT

At the outset, Sir Samuel Hoare made a statement in the course of which he first reviewed the works of the first two conterences Summing up the results of the Third Conference he said, "I would say, first of all, that we have clearly delimited the field upon which the future constitution is going to be built in a much more detailed manner than in the last two years. We have delimited the spheres of activity of the various parts of the constitution. Secondly, we have created an *esprit de corps* amongst all of us."

With regard to Finance which forms one of the most vital questions in the whole field of federal activities, Sir Samuel, admitted that though there were differences to be recognised and to be reconciled, they had made some substantial progress and the work done would materially help the Government in coming to a decision in consultation with the Central Government and Provincial Governments in India at an early date.

There were differences, no doubt, Sir Samuel continued, as regards the size of the Chambers. As far as the Government was concerned, he would venture to say that whatever might be the numbers of the Second Chamber some system of grouping would have to be adopted.

On the question of the representation of communities in the Centre, particularly of the Moslem community, he could say definitely that the Government considered that the Moslem community should have a representation of 33⅓ per cent. in the Federal Centre as far as British India was concerned. As far as Indian India was concerned that must be a matter for arrangement between the communities affected and the princes. The British Government, so far as they have any part in the question, would endeavour to make it as easy as possible for the arrangement between those parties with regard to the future allocation of seats.

In view of the various complications attended with the promulgation of the new acts and their operation, it was not possible for the Secretary of State to give any definite date as to when the Federation would be actually in operation. "I have always," continued he, "contemplated that some such method as a Parliamentary resolution would be adopted for bringing the

Federation into operation and that the method would be adopted at the earliest possible opportunity."

"We shall," he added, "between now and the passage of the Bill do everything in our power to remove any obstacle that may at present stand in the way of the Federation coming into being at as early a date as possible."

Sir Samuel also declared that Sind and Orissa should both be separate provinces. The boundary questions of course remained to be settled but it was sure that in the All-India Federation both these territories should enter as distinct provinces.

As regards safeguards, they were meant not to impede day-to-day administration of any Federal Minister but as a prevention against utter destruction. In the course of discussion it was made clear that certain safeguards were absolutely necessary to keep the confidence of the world out side and to make it possible in future for the Federal Government to raise money upon reasonable terms.

Financial questions led to the question of the setting up of the Reserve Bank but it was impossible to say exactly when this would come into effective operation. However, the Secretary of State assured that he would take every step to make the operation effective as early as possible.

Then, there was the question of the discussion of Defence and the Budget. It was agreed it should be non-votable but they were prepared to take necessary steps to see that the budget should be put in blocks and not in a perfunctory manner simply to be discussed as a whole.

As regards the employment of Indian troops outside India without the approval of the Federal Government, of the federal legislature, Sir Samuel thought that they were agreed that where it was actually a case of the defence of India in which no imperial considerations entered,—the sole responsibility of the Crown should remain undiluted; but in cases where Indian troops were to be employed for purposes other than directly Indian purposes, the best means would be to leave the decision to the Federal Ministry and the Federal Legislature.

As regards the Indianisation of the Army and the bringing into the consultation as much as possible the two sides of the Government, the Secretary of State thought that it would be too inelastic to have a statutory provision as Sir Tej Bahadur and others had suggested. The best thing would be to include both these things in the Instructions to the Governor-General to be issued by a novel Parliamentary procedure.

As to other proposals in the matter of Defence, Sir Samuel held that the Governor-General should have unfettered power in selecting the Defence Minister and that it would be alluded to in the Instructions that before the estimates are actually put to the Federal Assembly, the Finance Member should have an opportunity of seeing them and giving to the Governor-General their views upon them.

Finally, in response to Sir Tej Bahadur's appeal for a chapter of renewed co-operation between every section of Indian opinion and themselves, Sir Samuel said that he wanted to see no empty chairs at the Round Table Conference of the Joint Select Committee.

LORD SANKEY'S SPEECH

In winding up the debate Lord Sankey regretted the absence of the Premier, paid a tribute to each individual delegate and then said, "I regret that one great political party in England and one great political party in India have not seen their way to help us. When we come to the next and final stage of our deliberations, both those parties will come over and give us their assistance."

They had discussed and agreed upon the most important subjects. They had placed the position of women in India on a new, better and ascending plane.

Turning to the representatives of the Princes, Lord Sankey said only one thing could dim tht lustre of the wise and patriotic statesmanship of the Princes and that was delay. He hoped that when the States appeared in London at the select committee in March or April, they would be able to give a definite assurance about entry into the Federation.

SAPRU-JAYAKAR MEMORANDUM

On the eve of their departure for India Sir Tej Bahadur Sapru and Mr. M. R. Jayakar handed over to Sir Samuel Hoare a joint memorandum. The following is a summary:—

Sir Tej Bahadur Sapru and Mr. M. R. Jayakar opine that it is necessary to fix the date on which the constitution at the centre will begin to function. They assume that the Indian Bill will be passed by Parliament at the end of July 1933, enabling the provincial constitution to function early in 1934. In this connection they emphasise that there should be no delay in the preparation of electoral registers and Lord Lothian's report should tentatively form the basis of the preliminary work. It will be very unfortunate if the work of the constitution is held up after the passing of the Bill merely because the registers are not vet ready. With regard to the opinion that the federation should be set up in 1935 they point out that in Canada, Australia and South Africa the constitution was inaugurated by a Royal Proclamation and the Acts of Parliament in each case fixed a definite date for the inauguration of the constitution The same practice should be followed in the case of India. Power mav be taken to extend the date by a few months.

Turning to two difficulties regarding the fixing of a date, namely, the uncertainties of the position in connexion with Princes and Reserve Bank. the signatories ask the Government to invite Princes to notify by a certain date in February or March 1933 their willingness to join the federation. They think that the Federation can work effectively without insisting on half the Indian States to join at the start. Once some bigger states come in the Statute will provide for coming in of other states later on. If no State is ready to join the Federation, then British India should be endowed with central responsibility with necessary adjustments in the constitution.

As regards the Reserve Bank they declare that the position is one of uncertainty causing much anxiety. Therefore they urge that if the establishment of the Reserve Bank is delayed due to world reaction of India's financial capacity then Government should revert to interim provisions which the Conference originally contemplated. The impossibility of establishing the Reserve Bank during the next two years should not be allowed to block the way for federation and central responsibility.

With regard to the constitution of the Reserve Bank they urge that it should be based on sound financial foundations free from any political influences in England or in India. The Governor or Deputy-Governor should be selected by the Governor-General in consultation with Ministers from a panel of names to be submitted by the directors. At least seventy-five per cent. of the capital should be raised in India. Referring to financial safeguards they point out that if the Army budget, salaries and pensions of services are guaranteed by the Statute and if the Governor-General is empowered to indent upon the treasury for implementing special responsibilities, the danger with regard to such matters become non-existent.

As regards service debts, they think that the Governor-General should be empowered to intervene only when the security of the British or Indian investor is impaired by the action of the Finance Minister. General power couched in elastic language will be a fruitful sources of friction between the Federal Legislature and the Federal Government on the one side and the Governor-General on the other and may destroy the financial responsibility of the Minister. Further after the establishment of the Reserve Bank there is no need for the previous assent of the Governor-General for introduction of legislation relating to currency and exchange. With regard to the financial adviser, his advice should be strictly limited to matters connected with special responsibilities of the Viceroy and every precaution should be taken that the responsibility of the Finance Minister and Legislature is in no way interfered with or weakened.

If at all a financial adviser has to be appointed the appointment should be made by the Governor-General in consultation with Ministers. The adviser should in no way be connected with any financial or political interests either in England or in India. The appointment should only endure as long as the clear necessity for the retention of that office is felt. Also his advice should be fully available both to the Governor-General and the Federal Government.

Turning to commercial discrimination, while agreeing that purely racial discrimination should be avoided, they urge that in addition to the power to intimate, subsidise and protect the key to infant industries which are lying fallow or struggling in an impoverished condition, even if it looked like discrimination, the Government should also be empowered to control the evil effects of unfair competition "such as has sometimes been practised in the past by powerful organisations against weaker rivals."

INDIANISATION OF ARMY

Proceeding the signatories allude to defence and reaffirm the views expressed by the British Indian Delegates in the last few days, for instance, regarding Indianisation of Army in the shortest possible time and the appointment of an Army Member from the legislature thus enabling the members of legislature to acquire knowledge and experience as also a Statutory Committee further to explore the reduction in military expenditure. The signatories trust that His Majesty's Government's decision relating to reduction of British troops in India will soon be announced.

FUNDAMENTAL RIGHTS

In conclusion, they opine that the declaration of fundamental rights will allay the apprehensions of the minorities and special interests. They ask that High Courts should have direct relations with the Central Government and that the Statute should provide for constitutional powers and functions of the Federal Court and the Supreme Court, the latter as the final court of appeal for British India, not with a view to abolish the right of appeal to the Privy Council but to limit it. They reiterate the demand for an early establishment of this court without which the Federation of India will not be complete.

ABOLITION OF INDIA COUNCIL

Sir Tej Bahadur Sapru and Mr. M. R. Jayakar urge the abolition of the India Council and transference of the Secretary of State's limited powers under the new constitution to the Dominions Office. Lastly, they express the opinion that at a further stage of consultations every attempt should be made to secure representation of all important political parties in India so that any settlement arrived at may have the support of every progressive section of Indian public opinion.

COMMITTEE REPORTS

ANGLO-INDIAN EDUCATION

The report of the Anglo-Indian Education Committee says that two opposing opinions were strongly expressed on the question of centralising the education of the Anglo-Indians and domiciled Europeans and the sub-committee sought a middle course and decided that centralisation was unnecessary for the purpose of maintaining the proper standard of education. The sub-committee recommended, instead, special protection in the provinces by a statutory provision that the existing grants should not be reduced except *pro rata* with the education of general educational grants, save with the consent of three-fourths majority of the legislature concerned and this protection shall continue until a similar majority decided otherwise. Boards of Education should be established forthwith and in the case of the Provinces, should consist of the Education and Finance Ministers, representatives of Universities, heads of Anglo-Indian schools and two Anglo-Indians nominated by the Governors. The uniformity of co-ordination throughout India should be secured by an Inter-Provincial Board, which should consist of Provincial Education Ministers with an equal number of representatives of Anglo-Indian Schools nominated by Governors and this Board should appoint an Inspectorate. The report assumes that the maintenance of the machinery they suggest or something equivalent will fall within the scope of the special responsibilities of Governors for the protection of minorities.

RELATIONS SUB-COMMITTEE'S REPORT

The report largely deals with the technical and legal aspects of the future Indian constitution. On all the technical details, the Committee is unanimous.

The main controversial question which the Committee was expected to settle was the question whether residuary powers should be vested in the Federal Government or in the federating units; but no decision was arrived at on this point.

COMMERCIAL DISCRIMINATION COMMITTEE'S REPORT

The report provides, firstly, for the vesting in the Governor-General of powers to prevent commercial discrimination; secondly, it confers protection not only to British subjects resident and trading in India, but also to firms registered in England and trading with India.

The report lays down that "no subject of the crown who may ordinarily be resident or be carrying on trade or business in British India should be subjected to any disability or discrimination, legislative or administrative, by reason of race, descent, religion, or place of birth, in respect of taxation, holding of property, carrying on trade, profession or business, or in respect of travel." .

The report defines a subject of the Crown as including firms, Companies and Corporations, carrying on business within the Federation as well as private individuals.

FEDERAL FINANCE COMMITTEE

The draft report of the Federal Finance Committee propounds a scheme aiming at giving all provinces a reasonnable chance of starting with a balanced budget and affording a prospect of revenue sufficiently elastic to assure solvency in the Federation and ensuring that after the initial period the federal revenue shall be derived from British India and the Indian States alike.

The scheme provides for a two-fold division of the proceeds of income-tax, one share being assigned permanently to the Federation and the other to the provinces. The federal share should be based on the proceeds of heads of "tax" and should not be derived solely from residents in British India.

It is expected that a solution of the income-tax problem may be found on the lines of assigning to the Centre certain heads such as Corporation tax, tax from federal areas and tax on Government of India securities, while all other revenue from income-tax not assigned to the Centre is to be assigned eventually to the provinces.

The States and British Indians have not agreed with regard to the amount of the Federal share. The former maintain that it should not be less than eight and a quarter crores the latter think that about five crores will suffice. After the apportionment of the federal share the whole of the remainder should be assigned to the provinces and be distributed between the provinces on the basis to be laid down by the Constitution Act. In order to ensure solvency in the Federation, however, until the present conditions improve and there has been time to develop new sources of revenue the provinces would not receive the whole of their share, but the Federal Government would retain a block amount for a period to be determined. This amount is to be initially sufficient to balance the federal budget and to be determined before the new constitution.

An agreement has not been reached with regard to the duration of " the period. " The Committee on the whole think that it should be divided into two parts, the amount being fixed during the first part, gradually decreasing to a zero during the second. The States think that it should be a minimum of ten years possibly divided into five and five, while British Indians suggest four or five as the total period.

The scheme provides that if despite an increase of the present taxation and development of other sources the federal budget fails to remain balanced the Federal Government should be specially empowered as far as British India is concerned to levy for her own purposes an additional tax on heads of income-tax permanently assigned to the provinces In that event the Federal Government should levy proportionate contributions from such States as prefer not to come into the federal income-tax.

The provinces should have a right to levy income-tax surcharge not exceeding 12½ per cent to be collected federally. The legislation for corporation tax and special powers should be entirely federal and for the provincial surtax entirely provincial. All other legislation should be uniform by the Federal Legislature with the leave of the Governor-General after consulting his Council of representatives of the units and the Federal Government.

Provincial solvency should be assured by subventions from the Centre to the deficit provinces but whether they should be permanent, depended on the prospects of expansion of revenue in the province. The financial difficulties of Bengal have been recognised and the share of jute tax mentioned, but no definite proposal is made though mention is made of the suggestion of removal of the export duty and the substitution therefor of central excise to be distributed among the provinces in which they are collected. Sind's subvention should be predetermined.

Some members opine that a subvention for Sind in order to enable its separation departs from what they consider was laid down by the Sind Sub-Committee of the first Round Table Conference

The Frontier Province will continue to require subvention which should be fixed initially and on the occasion of each revision for as long a period as possible.

With regard to the probable needs of Orissa, Sir S. Hoare's statement on December 12 is printed as an appendix to the report.

The report contemplates that special powers to be given to the Federal Government will ordinarily obviate the necessity for emergency contributions as proposed in the Peel Report, but as it may still be desirable to pro-

vide for them, the Committee support the proposals of the Percy Report except that in the case of a war emergency, it should rest with the rulers of the States, as heretofore, to place their resources freely at the disposal of the Crown.

The report expects that lists of sources of revenue will be so drafted as to reduce to small proportions the problem of residuary powers of taxation but some provision in that connection should be required.

The report recommends that it should vest in units provided no federal source of revenue is prejudiced by the levy of a tax.

BORROWING

As regards borrowing, the future federal loans are to be based on the revenue of the Federal Government but the pre-Federation debt will continue to be secured "on the revenues of India." The report says that provided a satisfactory yield from the income-tax is permanently assigned to the Federation, the States will agree to assume the liability to corporation tax on the expiry of "the period" on the understanding that they are free to choose the method of raising the amount so due

STATES' CONTRIBUTIONS

The report recommends that the States' cash contributions should be extinguished not later than the expiry of the period and if that should be longer than expected the moiety should cease within ten years and the whole within twenty years.

RELIEF TO CEDED TERRITORY

The report accepts that the States which in the past were ceded territory and return for protection are entitled to some form of relief. Most of the members agree that the net value at the time of cessions forms the farest basis for relief but this assumes retrocession or exchange of territories impracticable but no payments in any way should be contemplated until "the period" expires.

The report considers that the question of extinguishing sea customs immunities should be left for the Federation and recommends that meanwhile the maritime states should not retain more than the value of duties on goods consumed by their own subjects

As regards the Centre's temporary retention of a portion of the Provinces' share of the income-tax, some delegates are of opinion that the result would be inequitable between the Provinces, and consider that the Provincial share should be first distributed and contributions taken back on a basis to be determined.

REDUCTION OF MILITARY EXPENDITURE

Delegates from Bengal and Bombay were particularly emphatic on this point, while, with regard to the amount of the Provincial share to be allotted to the Centre, many members urge a close examination of the possibility of reducing military expenditure. Some maintain that the Federal deficit could thereby be wiped out.

The Committee agree that if, during "the period," the Federal budget shows signs of continuing surplus relief to the Provinces and the States which make special contributions will precede the remission of taxation.

Provincial power of surcharge was agreed to by most of the members, but some opine that it would prevent uniformity and also affect the reserve taxable capacity available to the Federal Government in emergency. States representatives feel that the source from which the subventions to the Provinces are derived should, except in the case of the North-West Frontier, form a charge on the revenues from the Provincial heads of income-tax after

"the period." British Indians maintain that it will properly be Federal thereafter.

PROTEST AGAINST THE FINANCIAL SETTLEMENT OF BENGAL

Both European and Indian non official members of the Council of State and the Legislative Assembly from Bengal waited on the 9th December in a deputation on the Finance Member with a view to urging the claim of Bengal regarding the future financial settlement. They emphasised that in this matter official and non-official opinion stood together, felt that the Meston Award and the Percy Report were both unfair to Bengal and feared that the Round Table delegates might commit themselves to similar propositions, injuring permanently Bengal's interests.

Sir George Schuster said that the matter was not in the hands of the Government of India, but His Majesty's Government, and promised to forward immediately to London their views for circulation among the Round Table Conference delegates, and for consideration by His Majesty's Government. The deputationists accordingly handed over a draft telegram to Sir George Schuster for cabling to London.

The following is the text of the telegram.—

"Members of the Central Legislature from Bengal wish to acquaint you with their unanimous views on the subject of revenues proposed to be allotted to Bengal under the new constitution. We wish to repeat very strongly that the inadequacy of revenues allocated to Bengal under the present constitution is mainly responsible for the failure of Diarchy in Bengal, and has contributed substantially to political difficulties to an extent that assumes an All-India importance. Unless the position is rectified under the new constitution it is certain that Provincial Autonomy will prove a fiasco. The proposals of the Federal Finance Committee at any rate as far as Bengal is concerned, did not implement sufficiently the principle that the burden of the provinces which specially are hard hit by the existing distribution of resources between them, should be adjusted.

"Secondly, we endorse the views embodied in the representations made by practically all the representative Bengal Associations demanding the jute export duty being provincialised. The fact that discussions on federal finance in London are now reported to have reached the final state, is the reason for our pressing the notice of urgent necessity for a revision of the whole basis of distribution of resources between a province and a province."

CONGRESS ACTIVITY

REPORTS of the Congress activity during the quarter from the newspapers go to show that there were sporadic attempts to follow the congress programme in all spheres. We have reports of the arrest on account of the sale of contraband salt at Bombay, of picketing at various places e g. Lahore, Lucknow, Ranchi, Patna, Balasore etc. Subsequent to raid at several houses, huge quantities of congress leaflets were discovered at Surat, Benares. An attempt was made at Ahmedabad to hold the session of the Gujerat Political Conference. Many arrests were made in this connection—the number rising upto 150 in the course of two days, the 4th and 5th of December. One of the most striking events of the quarter is picketing at the cotton exchanges of Bombay. There were brisk arrests. The East India Cotton Association tried all cautious measures to regulate admittance in the exchange buildings; yet the boycott of foreign dealers in cotton was carried on so successfully that though the markets opened regularly, no trade would be conducted. Practically all trade was stopped for nearly two weeks, Four Indian brokers were arrested. In the meantime, a group of traders carried on negotiations among the perosns concerned. The result was that though some settlement was arrived at on the publication of a statement by the European group of traders, the traders with Congress mentality were not ready to co-operate unless the arrested brokers were released The Police Commissioner was approached and he said that there could be no release unless regular business was set in. It is not impossible that this difference itself would have led to another ugly situation, but for the timely intervention of Sj Pyerilall, the Secretary of Gandhiji who requested the members not to carry the matter further. Accordingly, free trading was begun on the 19th October and the four brokers arrested previously were released on the 20th or 21st October. The following is the statement that was published by the European traders which led to the final settlement in the matter.

EUROPEAN COTTON FIRMS' STATEMENT

The following is the text of the statement signed by European Cotton firms:—

"We understand that the present unfortunate situation in the cotton market might be solved if certain misapprehensions about the attitude of our group could be cleared up. With this object in view the firms whose names are given below, wish to make the following statement:—

We fully sympathise with the national aspirations of our fellow members in cotton trade. As we have signified by supporting the resoltuion recently passed by the East India Cotton Association, we are anxious to see an early restoration of political peace and speedy termination of the present unsettled conditions. We believe that the withdrawal of Ordinances and Civil Disobedience would help to achieve the desired peace in all markets. The resolution passed respectfully submitted that an early release of Mahatma Gandhi would accelerate the end of trouble, and to this view we adhere.

"We understand that there is a desire not to do business on Mondays for the present. If this is the general feeling in trade, we have no desire to antagonise it.

"We are confident that the resumption of free trading will lead to early release of all merchants detained in goal under the Ordinance on account of their conduct connected with boycott in the cotton market, and we will do what we can to bring this about.

"We hope that this letter will remove all misapprehensions which exist, and will lead to immediate resumption of free trading in the interests of all concerned."

Sd. H. B. MOORE.

The following firms have signed the agreement:—

The Chrystal Company, the Gill Co., Langley Co., Ralli Bros., Rodoconachi Co., Spinner and Company, Bombay Co., Ltd., and Volkart Brothers.

CIVIL DISOBEDIENCE CONVICTIONS

The Director of Public Information, the Government of India issued the following statement showing the total number of convicted persons under ordinary law and Ordinances undergoing imprisonment in the country:—

Province.	Number at the end of				Number released on apology up to the end of September,		
	September, 1932			October, 1932			
	Men	Women	Total	Total	Men	Women	Total
Madras ..	1,465	138	1,603	1,492	53	..	53
Bombay ..	4,866	238	5,104	4,661	66	6	72
Bengal	2,423	181	2,604	2,442	713	13	726
United Provinces	3,785	102	3,887	3,610	2,875	75	2,950
Punjab	609	26	635	541	1	..	1
Bihar and Orissa ..	2,384	68	2,452	2,266	234	3	237
Central Provinces ..	708	7	715	514	59	5	64
Assam	518	15	533	457	198	11	209
N. W. F. P	1,911	1	1,912	1,967	2,709		2,709
Delhi ..	263	19	282	163	43	2	45
Coorg ..	55	..	55	66	15	..	15
Ajmer-Merwara	73	3	76	64	14	.	14
	19,060	798	19,858	18,243	6,980	115	7,095

The total number released on apology at the end of October was 7,261.

WOMEN'S CONFERENCES

Several women's conferences were held at different places during the quarter. Presidential speeches at these conferences as well as the resolutions carried were almost similar in nature and they dwelt mainly on the necessity of physical training among girls, the observance of the Sarda Act in greater earnest, protest against the constitution of separate women's constituency in the Communal Award and the removal of untouchability, besides the exhortation on the need of the change of the present form of education. Space does not allow full details of these meetings. Only the Presidential speech of the All-India Women's Conference held at Lucknow is summarised here.

Presiding over the seventh session of the All-India Women's Conference on the 28th December, Lady Ramanbai Neelkant of Ahmedabad, said that the first and foremost work they had to take up was the removal of illiteracy. With this object in view, the Government should be asked to introduce primary education on a compulsory basis. She suggested the establishment of schools for vocational training, adding that in a country like India, there should be various educational institutions, to suit the needs and aptitudes of the different peoples.

. The President pointed out that in the spheres of secondary and higher education, the greatest impediment was the medium of a foreign language. She asked those present to try and ensure that this "preposterous" system was put an end to. She also suggested that particular attention should be given to the physical development of children. In suggesting these reforms in the educational system, she said that one thing which should never be lost sight of, was that they should always have a high ideal before them.

Coming to the question of social reform, the President referred, especially, to the existing marriage customs, and said that legislaion was necessary to eradicate the caste system, which was the custodian of most of these evils. Here too, she said, mass education was necessary, in order that people might see for themselves what was wrong with the prevailing practices. Speaking in this connection, she referred to the provisions of the Sarda Act which, she added, had been found to be defective in practice, and appealed to the Conference to draw the attention of the legislators to this fact. She also stressed the need for making marriages dissoluble in extreme cases. In conclusion, she pleaded for the removal of the disabilities of women under the existing Hindu law of inheritance.

MISCELLANEOUS

Several conferences of various types were held during the quarter at different places. A meeting of the Council of the Western India National Liberal Association, held on October 26, at Bombay adopted a resolution expressing regret that fair and adequate representation had not been accorded to the Liberal Party in the selection of delegates to the Round Table Conference.

The eighteenth session of the Bombay Engineering Congress was opened by H. E. the Governor on the 12th December. The session had its sitting under the presidency of Mr. A. X. Moraes.

The "Prabashi Bengali Sahitya Sammilan" (Literary Conference of Bengalees outside Bengal) was held at Allahabad on the 26th December; Dr. J. C. Sinha presided over the Economic Section.

The ninth annual session of the All-India Medical Conference was held on December 28 at Lucknow under the presidency of Major M. G. Naidu of Hyderabad (Deccan).

The All-India Economic Conference was held at Delhi; the meeting commenced on the 31st December.

OFFICIAL REPORTS

MINES ACT

THE annual report of the Chief Inspector of Mines on the working of the Indian Mines Act during the year 1931, shows that during the year, the daily average number of persons employed in and about mines, was 230,782, a decrease of 30,885 persons, as compared with the previous year. Of these persons 115,726 worked undergound. 54,912 is open workings and 60,114 on the surface. 182,875 were males and 47,907 females, as compared with the previous year's figures of 204,754 males and 56,913 females.

The number of persons employed in coal mines was 158,267 or 10,734 less than the number employed in 1930 in coal mines, 32,462 women were employed. Of these, 16,632 worked under ground, 4,467 in open workings, and 11,363 on the surface. The corresponding figures for the preceding year were 18,287; 5,627 and. 12,962. The total output of coal was 20,114,597 tons, a decrease of 2,169,264 tons, compared with the figure for the previous year. The opening stocks were 910 408 tons and the closing stocks 1,414,340 tons.

The output of iron ore was 590,176 tons, a decrease of 542,717 tons as compared with the figure for the previous year.

There was a fall from 10 to 15 per cent. in the rates of wages paid to mines in the important coal fields

During the year 1931, there were 189 fatal accidents, involving a loss of 227 lives of whom 183 were males and 44 females. Of the 189 accidents, 156 occurred in coal mines and resulted in 185 deaths

INDUSTRIAL DISPUTES

The statistics of industrial disputes in British India for the quarter ending the 30th September show that there were 37 disputes, of which 22 were unsuccessful, 8 were partially successful, and two were successful. Five were in progress at the close of the quarter. 35,653 men were involved in these disputes and the number of day lost was 328,208.

Bombay had the largest number of disputes, being 18, Bengal 8, Assam 5, Madras 3, Bihar and Orissa, Central Provinces and United Provinces one each.

The classification of disputes by industries is as follows: Cotton and Woollen Mills 16, jute 3, engineering 1, railways, including workshops 1, mines 1, miscellaneous 15.

HOURS OF WORK

The International Labour Office, in a Press Communique states:

"The latest information from Geneva is that the Governing Body has adopted the Italian proposal to have the technical problems concerning the reduction of hours of work in Industry studied at a preparatory Tripartite Conference to be held in Geneva in January 1933. The International Labour Organisation is preparing a report on the subject which will form the basis of discussion. This Conference will be similar to the Coal Conference of January 1930, with the difference that all the States' Members will be invited on this occasion to send one Government delegate, one employers' delegate

and one workers' delegate, accompanied by technical advisers, if desired. The question whether non-member-States should be invited will be considered at this month's meeting of the Governing Body, to be held in Madrid and the decision will, in all probability, be in the affirmative. This Conference will also deal with miners and salaried employees, but will not consider the position of seamen or agricultural workers. The Madrid session of the Governing Body will also decide whether this question should be placed definitely on the agenda of the ordinary session of the International Labour Conference to be held in 1933. The original idea was to have summoned this Preparatory Conference in November or December this year, but it has been put off to next January in order that overseas countries like India may not be inconvenienced by too early a date. All the members of the Governing Body without exception, including the British Government and the employers, were in complete arrangement as to the necessity for a thorough study of the question of reducing hours of work. It is, therefore, expected that positive results will be forthcoming from the Conference

"The conclusions of the Conference will be examined by the Governing Body the same month, so that it may consider the desirability of communicating them to the coming World Economic Conference and possibly to the various governments, so that they may provide guidance for possible bilateral or multi-lateral agreements, in the event of the subject being taken up by the 1933 session of the International Labour Conference.

"The Governing Body also adopted a resolution moved by the French Government delegate calling the attention of all the Governments which have not yet ratified the Washington Convention of 1919 concerning the 8-hour day in industrial undertakings, the Convention of 1930 concerning hours of work in commerce and offices, and the Convention of 1931 concerning hours of work in coal mines, to the supreme importance in the present circumstances of their early ratification by all the member-States."

G. I. P. WORKERS' UNION

A mass meeting of the G. I. P. Railway Workers was held on October 11, at 5-30 p.m. under the auspices of the G I. P. Railway Workers' Union (Bombay Branch) to elect delegates to the forthcoming annual general meeting and the conference at Jhansi Mr. D. B. Kulkarni was in the chair.

The following resolutions were unanimously adopted

"This meeting elects the following members to attend the Jhansi annual general meeting and the conference on behalf of the Bombay Branch: Messrs. D. B. Kulkarni; V. G Gangal; D. B. Shinde; D. S. Vaidya; G H. Kale; Z. R. Chaudhary; L. S. Tikkar; B. N. Likhite; Shanker Dharma; Ramchandra Janoo; and H. R. Chandwadkar.

"This meeting strongly condemns the action of the Agent for making false allegation amongst the Union in their weekly notice and for suspending the recognition of the Union and calls upon all railway servants within the limits of Bombay to muster strong under the banner of the Union to give a fitting reply to Agent's attack on the rights of association."

LABOUR DISTURBANCE

M. S. M. RAILWAY STRIKE.

DURING the quarter there was a disturbance at the M. S. M. Rly, where a strike was called on Oct. 24 at Perambur Workshop, Madras. A statement was given, in this connection, by Sir Joseph Bhore, Commerce Member, in the Legislative Assembly in reply to a question on November 24. (Vide p. 777). The strike continued towards the end of the quarter. Towards the end of December, some of the leading citizens of Madras formed themselves into a committee under the name of Citizens Committee with a view to effect a compromise between the Railway Administration and the leaders of the strikers. A compromise was effected and the strike which had spread to some parts other than the workshop at Perambur was called off. But some sort of misunderstanding with regard to the Agent's circular about taking in the strikers prevented strikers from joining. The following extracts from some of the statements published both by the Agent of the Railways and the leaders of the employees setting forth the claims of respective parties supplement the Commerce Member's statement in the Assembly.

UNION'S RESOLUTIONS

The M. S. M. Railway Employees' Union adopted on October 21 the following resolution regarding strike:—

Whereas the M. S. M. Railway administration has refused to discuss with the Union the Retrenchment question,

Whereas the administration has in the opinion of the Union and the workers grossly exaggerated the figures of surplus staff and the estimate of short-time, in spite of the Unions citing indisputable and uncontradicted facts and figures,

Whereas the Railway has wilfully refused to reinstate the 93 workers who were compulsorily retrenched last year in the Perambur Shops contrary to the accepted policy of allowing a surplus to the maximum of 20 per cent. in each shop if corresponding short-time is agreed upon by the workers,

Whereas the men's readiness to bear the sacrifice of necessary short-time or leave by rotation to wipe out the policy of compulsory discharge retrenchment has been used as an opportunity for inflating the figures of surplus and having further considered the attitude of the management in not agreeing to Conciliation Board on the above issues after suspending further adverse measures and in consideration of the overwhelming opinion of workers expressed through ballot in favour of strike as a defensive measure to protect themselves against the present retrenchment policy.

This Union resolves that the decision of the men be ratified by the authorities.

A strike will be declared from 8-30 in the morning on October 24 on the above issues at present by the Perambur Workshops Employees.

This Committee further resolves that the full forces of the Union should be mobilised to bring the present dispute to a successful termination.

The majority of the workers in the M. and S. M. Railway Mechanical Workshops in Perambur struck work on the 24th October.

Anglo-Indians began to join from the 25th and the clerks employed in the workshops joined the strike on the 26th.

. The authorities in a circular informed these clerks that they would be losing their Provident Fund and other benefits. But the clerks replied that since they did not belong to Public Utility Services, the authorities' contention would not hold.

PEACE MOVE

On December 6, some prominent leaders of Madras, including among others, the Rt. Hon. V. S. Srinivasa Sastri, Sir K. V. Reddi, Mr. C. Munuswami Naidu, issued an appeal to both sides to come together in a spirit of accommodation and end a deadlock which had already caused privation to thousands of families and might, if allowed to continue, dislocate an important Railawy system, and produce discontent and misery on a vastly bigger scale.

The Citizens Committee was also vigorously trying to effect a solution. They held meetings after meetings. Some terms of compromise were actually effected. After it was announced that the strike was to be called off it was stated that in view of the fact that there had been breach in the terms of the settlement, the administration having refused to take back the 63 strikers at Arkonam and about 30 strikers at Hubli, the strike was not called off.

OTTAWA AGREEMENT

INDIAN DELEGATION REPORT

EXTRACTS from the Report of the India Delegation to the Imperial Economic Conference at Ottawa are quoted below.

The United Kingdom is the largest single purchaser of Indian goods and the change of fiscal policy was, for India, a matter of first class importance. Up to 1931, on each occasion when the United Kingdom imposed preferential duties the benefit was extended freely to all parts of the Empire and nothing was asked in return. The new policy extended the preferential system to a far wider range of commodities but on a reciprocal basis, and India could not with any reason expect that the United Kingdom would be willing to accord to her a one-sided preference, or treat her more liberally than she was prepared to treat the Dominions. Nor was it only the new preferences which were in question. The wider Acts imposing the revenue duties, it is true, and the Finance Act of 1932 which reimposed the tea duty and restored the preference, contained no time limit such as was imposed by the Import Duties Act, but once the principle of reciprocity was accepted it would have been idle to hope that the two sets of duties would be kept permanently in water-tight compartments, the one set reciprocal and the other non-reciprocal. Sooner or later the principle of reciprocity would extend to the whole range of duties and it became a matter of urgency to review the position as a whole.

The danger to be apprehended was most serious and most clearly evident in the case of tea, but it was far from being confined to that commodity. It extended also to the whole class of oilseeds, to vegetable oils of all kinds, to wheat, to spices of many descriptions. to coir and hemp, and to raw goat skins. In the sphere of manufactures the position was somewhat different. India's exports of manufactured goods to the United Kingdom are confined to a few categories, and direct competition from the Colonies was improbable except in respect of coir manufactures and possibly in the future of tanned hides and skins, while the Dominions were serious competitors only in respect of pig-lead. In two directions, however, the Indian position was menaced. In the first place the imposition on India jute manufactures and on woollen carpets and rugs of the duties applicable to foreign goods of the same classes must have led to an appreciable replacement of Indian goods by goods made in the United Kingdom, while the imposition on Indian pig-iron and semi-finished steel of the duties levied under the Import Duties Act would have completely closed the British markets to these products. For the last four or five years India has supplied substantial quantities of pig-iron to the United Kingdom, and while the trade in semi-finished steel is only in its initial stages, it holds out the promise of important developments in future.

The Indian import tariff is primarily a revenue tariff which imposes a moderate uniform rate of duties on all commodities, subject however first to the levy of a much higher duty on particular articles, second to exemption from duly or admission at low rates of other articles where the national

interests require such concessions, and finally to the imposition of protective duties when it is established that the encouragement of these industries is justified in the national interest. The higher rates of duty call for no comment; the exemptions from duty and the low rates fall into one or the other of the following categories:

(1) Commodities of importance to the cultivator, such as agricultural implements and manners; (2) particular medicines such as quinine, the wide distribution of which is important from the point of view of health; (3) commodities a duty on which might operate as a tax on knowledge, such as printing machinery and appliances; (4) Commodities a duty on which might retard a desirable development still in its infancy, such as aircraft and radio appliances; (5) commodities a duty on which would impede the development of industries, such as power machinery, raw materials and dyes; and (6) commodities a duty on which might appreciably increase the cost of railway transport, such as locomotives and many other classes of railway material.

The position as regards hemp was found unsatisfactory in another respect. Two conditions are required for the free entry into the United Kingdom of natural products of Empire origin, namely:—

(1) Proof that the commodity is in fact of Empire origin, and
(2) Consignment on a through Bill of Lading from an Empire country.

A practice has grown up by which stocks of Indian hemp (and the same is true of raw jute and mica) are held at such Continental centres as Antwerp, Hamburg and Bremen. These stocks are sometimes held on consignment at the Indian exporters' charge, and cheap storage facilities, coupled in the case of hemp with the larger demand on the Continent for certain types, have led to an entrepot trade of some importance. The result of the passing of the Import Duties Act has been that when London draws on the Continental stocks, the Indian goods entering the United Kingdom have to pay duty because they are not consigned on a through Bill of Lading. In effect, therefore, the preference in such cases is of no practical benefit, but is, indeed, an actual impediment to the free sale of the Indian product. Irrespective of the fact that His Majesty's Government in the United Kingdom could not see their way to impose a duty on Cannabis Sativa, we were satisfied that it was eminently desirable to secure the removal of the duty on Crotalaria Juncea and other varieties of Indian hemp.

Mica.—India supplies about 80 per cent. of the United Kingdom requirements and other Empire countries about 10 per cent. The imports of mica of foreign origin must be less than the remaining 10 per cent. since imports of Indian mica from Continental stocks would be classified in the British Trade Returns as imports from the country from which the stocks were drawn. It was clear that the preference was of little value and in so far as the entrepot trade was hampered, it was contrary to Indian interest.

Lac.—India has no dangerous rival in the production of this commodity and the duty on foreign lac can do very little to assist her trade. If it had any effect at all in the way of raising the price of lac in the United Kingdom it would be positively mischievous, for lac is exposed to the keenest competition from synthetic substitutes. We were clearly of opinion that the best course in India's interests was that lac should be free of duty, irrespective of origin, while the synthetic substitutes in so far as they are imported into, and not made in, the United Kingdom—should remain subject to duty.

Myrabolams.—In this case, India has a practical monopoly, more than 99 per cent. of the United Kingdom's requirements being supplied by her. The preference can therefore do nothing to extend the market for the Indian

product. On the other hand, there are many other tanning materials with which it is in competition. In our view it is best that myrabolams, as such, should be exempted from duty while the competing materials remain dutiable.

Broken rice.—The reason for securing exemption from duty, irrespective of origin, for this commodity, is that it is used both for the manufacture of starch farina and as a feeding stuff for domestic animals. In both respects it competes directly with a wide range of substitutes. Enquiry showed that the supply of broken rice from Burma was not unlimited, and that the duty on foreign rice might produce a rise in prices which would entail a contraction in the demand. We considered it desirable that the duty should be removed.

Commodity.	Value of imports into the United Kingdom from India in 1929.
	£
Lac	1,396
Raw Jute	6,413
Myrabolams	249
Broken rice	175
Mica	328
Indian Hemp	127
Total	8,688

CASE OF RAW COTTON

The most important of all India's export commodities is raw cotton, and throughout the negotiations we lost no opportunity of making clear our view that all possible steps ought to be taken to promote its sale in the United Kingdom. In the five years from 1926 to 1930. India exported on an average 628,000 tons of cotton a year, but only 6 per cent. was consigned to the United Kingdom, while the United Kingdom imported 529,000 tons a year, but only 7½ per cent. of this quantity was Indian cotton. The root cause of this disparity is well known. The great bulk of the Indian cotton crop is of short staple, whereas the Lancashire industry has specialised more and more in the finer qualities of goods, for which long staple cotton is required. It is also true that by far the greater portion of India's requirements of cloth for which Indian cotton is suitable is manufactured in India itself. On the other hand, Lancashire makes cotton piecegoods for other markets besides India, the piecegoods imported into India from other countries are largely made from Indian cotton, and every year the quantity of longer staple cotton grown in India suitable for Lancashire use tends to increase. Discussions with the United Kingdom cotton trade representatives at Ottawa showed it to be common ground that the improvement in Indian cotton growing during recent years has made it practicable for English spinners to use substantially larger quantities of Indian cotton than hitherto, and that such a development would be of mutual benefit to both countries. No special technical difficulties militate against an increased use of Indian cotton in Lancashire, and in the last few years the quantities purchased have shown an increase. In these circumstances we raised the question of a duty on foreign cotton in the United Kingdom but the British Delegation made it plain to us that they could not entertain this suggestion, and that the interests of their own industry placed it out of court.

OTHER COMMODITIES

Another very important Indian export commodity is manganese. During the five years 1926 to 1930, India exported 600,000 tons on the average,

while the United Kingdom imported 200,000 tons a year, so that the Indian trade is largely dependent on the Continental markets, and in these the competition of low-grade Russian ore has in recent years become very severe. In the United Kingdom however, Indian manganese still retains its predominance, the supplies from India amounting to 83 per cent. of the quantity imported from 1926 to 1930. The higher grade of the ore makes it suitable for the steel manufacturing processes mainly in use in the United Kingdom, and it is because other processes are often used on the Continent that the low-grade ore has found favour there. We made special enquiries to ascertain whether the reorganisation contemplated in the British iron and steel industry might lead to the adoption of processes involving a larger use of the low-grade ore, but the assurances we received satisfied us that this was unlikely. Manganese, being a raw material of industry, is free of duty in the United Kingdom and not included in any of the Schedules to the Agreement. We thought it worth whole, however, to mention it here, because the Indian production has already diminished considerably under the pressure of foreign competition and if India's position in the United Kingdom market were ever threatened, it might be necessary to take the matter up again. The imports of foreign ore into the United Kingdom should, we think, be kept under observation.

WHEAT

The preference of 2s. a quarter on wheat is one in which the Dominions are much more vitally interested, as things are to-day, than India can be, so long as her exports remain negligible in amount and the present level of world prices continues. But it is a matter of real concern to India that she should not be left out of any arrangement connected with wheat into which the Dominions and the United Kingdom may enter, and the preference may be of appreciable value to her when the most recent irrigation schemes, and particularly the Sukkur Barrage, bring about as they are exported to do, a substantial increase in India's wheat acreage. Another commodity of greater importance to certain Dominions and Colonies than to India is coffee. Here, however, the Indian production is largely dependent on the export demand, and since the United Kingdom consumes nearly three times as much coffee as India exports, an increase in the preference is likely to result in a larger demand for Indian coffee. The existing preference of 2s. 4d. a cwt., which has been in force since 1919, has been of some value, but even at the present low level of prices it only amounts to 1½ per cent. ad valorem, and for the five years 1926 to 1930 only 45 per cent. of the United Kingdom's requirements were supplied by Empire coffee, and India's share was only 8½ per cent. The preference will now be increased to 9s. 4d. a cwt., and as most of the foreign coffee imported into the United Kingdom is of the mild type and similar to good quality Indian coffee, it is reasonable to expect that the consumption of India coffee in the United Kingdom will increase substantially. The State of Mysore is greatly interested in the production of coffee, and we hope that the preference now obtained will be of benefit to this State in particular, as well as to the coffee-growing areas in British India. The third India product which may be noticed here is magnesium chloride, which is produced in one of the salt areas in Kathiawar. The new duty to be imposed on magnesium chloride imported from foreign sources is 1s. an hundredweight, and from the information supplied to us by the producers in India, it seems probable that the preference will enable them to supply part of the requirements of the British market.

LINSEED

The most important of the new preferences is that on linseed, on which a duty of 10 per cent. is to be imposed in the United Kingdom. Linseed

is a prominent constituent of one of the most important groups of Indian exports—the oilseeds. In recent years Indian exports of linseed have shown a declining tendency and have never recovered their pre-war volume. During the quinquennium 1926 to 1930, the average imports of the United Kingdom amounted to 314,000 tons a year, while during the same period India's exports averaged 215,000 tons a year, one-quarter of which was taken by the United Kingdom. It is obvious that in these circumstances the United Kingdom is in a position to absorb a much larger quantity of linseed than India exports and the new preference should lead to a marked increase in India's output of this class of oil-seed. It does not appear that the decline in Indian production has been brought about by any factor other than waning demand, and the fact that Indian linseed production reached 533,000 tons in 1922-23 as compared with 257,000 tons in 1930-31 shows that there is considerable room for expansion. Indeed, with the fall in the prices of cereals and cotton, there is abundant scope for a substantial increase of production in several Indian provinces. An enlargement of the area under linseed in India by two million acres (representing an additional production of at least 250,000 tons) should not be difficult of attainment in a year or two in response to an increased demand. It appears to us that from the Indian point of view the preference is of great importance to agriculture and ought to lead to a substantial increase in Indian exports.

The United Kingdom is a large buyer of linseed—the oil being required for industrial purposes and the cake as a feeding stuff--and at present she draws by far the larger portion of her supplies from the Argentine. The price at which her industrialists and farmers can obtain these commodities is of course a matter of great importance to her, and it would be idle to hope that the preference could be of long continuance unless Indian production increases in proportion to the increased demand. The extraordinary elasticity of Indian agricultural production in response to variations in world demand leads us to believe that India can without difficulty meet a very large part of the United Kingdom's requirements, but the matter is of such importance that we think the attention of the Agricultural Departments in the Provinces should be specially drawn to it.

VEGETABLE OILS

An enhanced preference of considerable importance is that on vegetable oils, the duty on six of which, viz., castor oil, coconut oil, linseed oil, rape oil, groundnut oil and sesamum oil, will be raised from 10 per cent. to 15 per cent. India has an expanding industry with great possibilities and an export trade of considerable importance. Most of the Indian exports are absorbed by Eastern markets, but the United Kingdom is already an important purchaser of vegetable oils from India, and also buys from the Continent of Europe vegetable oils which India could well supply and indeed already exports. Since Indian products are at a certain disadvantage (due to expensive packing and high sea freight) an increased preference was a matter of importance.

RICE

The last of the enhanced preferences to be considered is that on rice, where the duty will be raised from 10 per cent. ad valorem to 1d. a pound. At present the United Kingdom takes about one-third of its supplies from India and Burma and two-thirds from foreign sources. Great progress has been made by the United Kingdom rice millers in finding types of Indian rice suitable for all branches of the United Kingdom retail trade, the Indian Empire is by far the largest producer and exporter of rice in the world, and the price of Indian rice is low compared to that of the American and Spanish

rices which compete with it on the United Kingdom market. The demand however, is affected not only by price but by minor matters such as the method of packing and polishing, which are really matters of fashion.

IRON AND STEEL

The scheme which will be embodied in a Supplementary Agreement* between His Majesty's Government in the United Kingdom and the Government of India provides that, up to the 31st March 1934 (when the duties fixed after the statutory enquiry by the Tariff Board will become operative). the duties on galvanised sheet shall be as follow·

(1) Sheet made in the United Kingdom from Indian sheet bar. Rs. 30 a ton.

(2) Sheet made in the United Kingdom from other sheet bar, Rs. 53 a ton.

(3) Sheet not made in the United Kingdom, Rs. 83-12-0 a ton.

The basic figures underlying this scheme are as follows: The bed rock price of Belgian galvanised sheet is assumed to be £8-10-0 a ton. f. o. b. Antwarp as against £8-12-6 a ton, the lowest price actually quoted according to our information. The necessary additions on account of sea freight, landing charges and duty increase this sum of Rs. 215 a ton duty paid at an Indian port. The price assumed for galvanised sheet made in the United Kingdom from sheet bar, other than Indian sheet bar, is £10-10-0 a ton f. o. b. We are satisfied that this is the lowest price which will give the British sheet manufacturer a reasonable return, for when all costs have been met the sum left to cover depreciation and profit is only 12s. 6d. a ton. With the additions necessary for freight, landing charges and duty, this figure also means a duty paid price of Rs. 215 a ton in India, the freight from a United Kingdom port being taken as on the average 5s. a ton above the freight from Antwerp. The difference of Rs. 30-12-0 a ton between the duty on British sheet not made from Indian bar and sheet made elsewhere, is the difference between the lowest price which the Continental manufacturer has yet quoted and the lowest price which the British manufacturer can reasonably accept. The object of this difference in the duties is to enable the British manufacturer to obtain a price which does not involve an actual loss. It remains to consider the further difference of Rs. 23 a ton between the duty proposed on sheet bar made in the United Kingdom from Indian sheet bar and on sheet made from other bar.

TEXT OF AGREEMENT

Article 1.—His Majesty's Government in the United Kingdom undertake that Orders shall be made in accordance with the provisions of Section 4 of the Import Duties Act, 1932, which will ensure the continuance after the 15th November, 1932, of entry free of duty into the United Kingdom of Indian goods which comply with the law and statutory regulations for the time being in force dealing Empire goods for the purpose of customs duties and which by virtue of that Act are now free of duty.

Article 2.—His Majestry's Government in the United Kingdom will invite Parliament to pass the legislation necessary to impose on the foreign goods specified in Schedule A appended hereto, the duties of customs shewn in that Schedule in place of the duties (if any) now leviable.

Article 3.—His Majestry's Government in the United Kingdom will invite Parliament to pass the legislation necessary to secure to Indian goods of the kinds specified in Schedule B appended hereto which comply with the

*The Supplementary Agreement is embodied in an exchange of letters which are printed as an Annexure to the Report.

law and statutory regulations for the time being in force defining Empire goods for the purpose of customs duties the margin of preference over similar foreign goods shown in that Schedule.

Article 4.—His Majesty's Government in the United Kingdom undertake that no order will be made and that Parliament will not be invited to pass legislation which would have the effect of reducing the margin of preference now enjoyed by Indian goods of the kinds specified in Schedule C over similar foreign goods, and further undertake that, in the event of any greater preference being accorded in respect of such goods imported from any other part of the Empire, such greater preference will be extended to similar Indian goods.

Article 5.—It is agreed that the duty on either wheat in grain or lead as provided in this Agreement may be removed if at any time Empire producers of wheat in grain and lead respectively are unable or unwilling to offer these commodities on first sale in the United Kingdom at prices not exceeding the world prices, and in quantities sufficient to supply the requirements of United Kingdom consumers.

Article 6.—His Majesty's Government in the United Kingdom will invite Parliament to pass legislation which will secure for a period of ten years from the date hereof to tobacco, which complies with the law and statutory regulations for the time being in force defining Empire goods for the purpose of customs duties, the existing margin of preference over foreign tobacco, so long, however as the duty on foreign unmanufactured tobacco does not fall below 2|0½d. per lb. in which event the margin of preference shall be equivalent to the full duty.

Article 7.—His Majesty's Government in the United Kingdom will invite Parliament to pass legislation providing for the admission into the United Kingdom free of duty from all sources of the goods specified in Schedule D.

Article 8.—His Majesty's Government in the United Kingdom undertake that they will co-operate in any practicable scheme that may be agreed between the manufacturing, trading and producing interests in the United Kingdom and India for promoting, whether by research, propaganda or improved marketing, the greater use of Indian cotton in the United Kingdom.

Article 9.—His Majesty's Government in the United Kingdom will invite the Governments of the non-self-governing Colonies and Protectorates to accord to India any preference which may for the time being be accorded to any other part of the British Empire, provided that this Clause shall not extend to any preferences accorded by Northern Rhodesia to the Union of South Africa, Southern Rhodesia and the Territories of the South Africa High Commission by virtue of the Customs Agreement of 1930, and further will invite the Government of the Colonies and Protectorates shown in Schedule E to accord to India new or additional preferences on the commodities and at the rates shown therein.

Article 10.—The Government of India will invite the Legislature to pass the legislation necessary to secure to United Kingdom goods of the kinds specified in Schedule F which comply with the laws and statutory regulations for the time being in force defining Empire goods for the purpose of customs duties the margins of preference over similar foreign goods shown in that Schedule.

Article 11.—The Government of India will consider, in the light of the findings of the Tariff Board, the protective duties to be imposed on goods of cotton and artificial silk according as they are made in the United Kingdom or elsewhere, and will invite the Legislature to pass legislation by which, where protective duties are not imposed as a result of the recommendations

of the Tariff Board upon United Kingdom goods of the kinds specified in Schedule G, the margins of preference shown in that Schedule will be extended to such goods.

Article 12.—The Government of India will invite the Legislature to pass the legislation necessary to secure to the Colonies and Protectorates and the Mandated Territories of Tanganyika, the Cameroons under British Mandate and Togoland under British Mandate, preferences on the commodities which comply with the laws and statutory regulations for the time being in force defining Empire goods for the purpose of customs duties and at the rates shown in Schedule H and also any preferences from time to time accorded to the United Kingdom if His Majesty's Government in the United Kingdom so request. Provided that the Government of India shall not be bound to accord any preferences to any Colony or Protectorate which, not being precluded by international obligations from according preferences, either (i) accords to India no preferences, or (ii) accords to some other part of the Empire (in the case of Northern Rhodesia, excepting the Union of South Africa, Southern Rhodesia and the territories of the High Commission) preferences not accorded to India.

Article 13.—His Majesty's Government in the United Kingdom declare that they will maintain their existing policy under which tariff preferences accorded to any Dominion are also accorded to India, and the Government of India, for their part, declare that it is their intention to extend to the United Kingdom any tariff preferences which they may accord to any Dominion.

Article 14.—This agreement between His Majesty's Government in the United Kingdom and the Government of India shall continue in force until a date six months after notice of denunciation has been given by either party.

In the House of Commons, Mr. Neville Chamberlain while speaking on the Ottawa Agreement, declared that if the agreements increased the prosperity of the United British Empire, that would be our best contribution to the restoration of world prosperity. He cited, as instances, danger points which were being gradually reached in Empire history, the possibility of the cementing of financial relations between Canada and America and anxiety in the United Kingdom regarding the German South African Treaty. The final unanimous resolution of the Ottawa Conference showed that those dangerous tendencies had been altered and a better understanding of one another's difficulties established between parts of the Empire. There had also been recognition of the prospect of a closer trade relationship which would generally benefit the Empire.

India had recognised for the first time the principle of Imperial preference. South Africa had begun steps for the revision of the German Treaty. Mr. Chamberlain welcomed the fact that Argentine producers had agreed to work the mutton and lamb scheme. Ottawa, he concluded, must be judged by broad tendencies.

Under the new arrangements, India had given Britain preferences covering no less than twenty-six per cent. of her imports. South Africa had begun to take steps to free herself from the obligations under the German-South Africa Treaty which bound the Union not to give preference to Britain without also extending it to Germany.

INDIA'S ACCEPTANCE

On an official motion that the Indian Legislative Assembly should accept the Ottawa Agreement to which certain Indian representatives were party the Assembly decided after a brisk debate, in which opinion was divided, to

appoint a Select Committee to examine clause by clause the provisions of the Agreement and to report to the Assembly. The Select Committee's majority and minority reports are summarised below—

MAJORITY REPORT

The majority consider that the preference given on the following articles is definitely valuable: Coffee, coir-yarn matting, oilseed, cake and meal spices, teak and other hard woods, woollen carpets and rugs, tobacco, castor-seed, ground-nuts and pig-lead. The money-value of these amounts to two crores and twenty-seven lakhs. The report remarks: "The total value of trade in the same commodities capturable by Empire countries is estimated at £30,562,000. Assuming that when other Empire countries compete with India, the percentage of exports from all the Empire sources into the United Kingdom remains the same as it is to-day, the value of the additional market in the United Kingdom which is open to India will amount to Rs. 13½ crores."

Dealing with the exports from India of tanned hides and skins, the report states that over eighty per cent. of the total exports already go to the United Kingdom. It continues: "In regard to these commodities and jute manufactures, we attach special importance to the fact that they are the products of manufacturing industries, and that any stimulus which can be applied to the export of articles of that class represents a measure of assistance to the process of the conversion in India of her own raw material."

As regards jute, it is pointed out that India has latterly met with increasing competition from the Continent. At present, the Indian jute manufacturing industry is only working at 45 to 50 per cent. of its capacity, so that the importance of any measure to retain and develop it market must be readily admitted.

"The preference given to magnesium and sandalwood oil may be of local importance, but a special representation was made to the Indian Delegation by the producers themselves to obtain preferences."

The report makes special mention about tea, which is the most important article of India's export trade upon which preference has been given. It is pointed out that in the case of tea, coffee and tobacco, the exclusion of India from the benefit of the preference would cause her to lose at least a large portion of the market which she now holds.

The report deals with the important question of preference which India will give to the United Kingdom goods. Emphasis is laid on the exclusion of all India's protected industries from the scope of the preference. The same principle will apply to industries which may be given protection hereafter. Even delay up to a maximum of a year in getting any change in the Agreement will not prevent the grant, with immediate effect, of protection to an Indian industry not at present enjoying it. The Government of India can impose on imports from the United Kingdom any duty so long as the guaranteed margin of preference is not diminished.

PROPOSAL FOR STANDING COMMITTEE

The final recommendations are that the Government should prepare an annual report reviewing the effect on India's export and import trade of the preferences, and that there should be included in the report a statement of Indian industries which have made a representation to the Government in regard to the effect upon them of the import preferences and a statement of the action taken by the Government on such representations. It is also recommended that a committee of fifteen members should be appointed by the Assembly to consider the report referred to above, and to examine, in the

light of information furnished by it and if necessary with the assistance of the interests concerned, the effect of preferences on agricultural and the other interests, and to report.

The report further recommends that, on the expiry of three years from the date on which preferences become operative, the Government should place before the Assembly a detailed report on the course of the import and export trade in the commodities covered by the preferential rates of duty, and that they should undertake to give notice of denunciation required by Article 14 of the Agreement, if the Assembly, after considering the report, is satisfied that the continuance of the Agreement is not in the interests of India.

The Majority summing up observe "Our final conclusion is that, so far as we are able to judge, it is definitely to India's interests to accept the agreement. The only certain test is experience of the actual results over an adequate period of time, and we believe that if the recommendations which we have made to that end in this Report are carried into effect, the Government of India and the Legislature will be provided with the material necessary to enable that test to be applied."

MINORITY REPORT

"The majority admit that they had not sufficient time to examine fully that part of the Agreement which deals with preferences on imports into India. This is at least as important a part of the Agreement, as preferences on our exports and one which is causing uneasiness in commercial and industrial circles as well as among the general public throughout the country. Our colleagues evidently attach no importance to the fact that such expert and business opinion as we received, was adverse to the Ottawa scheme of tariffs. That also is the trend of most of the representations which were made to us individually by several industrial interests. One principal object of the Assembly in appointing this Special Committee was that we should ascertain the views of business men and experts, and for our part we do not think it right to disregard such views."

The report quotes from the speeches of Sir George Schuster and observes that, without a large balance of trade in her favour, India could not meet her obligations in foreign countries. It must be borne in mind that it would take considerable time for the Indian agriculturist to respond to any increased demand. In most of the provinces, new land cannot be easily brought under cultivation, and holdings are so fragmented that it is very difficult to apply the schemes of scientific intensive cultivation. On the other hand, a well organised and well equipped industrial country like Britain can easily expand her products in response to additional demands. A substantial percentage of India's exports consists of commodities of which India has a monopoly, or in respect of which she occupies a predominant position in the British markets relatively to foreign countries, and in which India has no competitors in the Empire. With respect to these commodities, preference has no value whatever, and must be left out of account. The linking of the rupee to Sterling has led to the export of gold of the value of 100 crores to Britain within the last eleven months. This Bill further cripples the purchasing power of India in respect of her trade with gold standard countries.

Examining some of the commodities on the export list, in view of what the Majority Report says on each of the items the minority remark that in the case of wheat, it is more than doubtful if the Indian producer can ever compete with Australia and Canada, not to speak of Russia, in the United Kingdom Market. The problem of Railway rates and freights makes the position still more hopeless, unless Britain is prepared to fix a quota for

Indian wheat at economic rates. Otherwise, the Punjab farmers, who have been so hard hit, will continue to suffer.

As regards rice, the Minority Report observes that as the total export was about five per cent of the production in India and Burma, the loss of preference in the United Kingdom market would be negligible.

Referring to the figures mentioned by the majority regarding cocoanut oil, the minority re-say that they are unimportant in the United Kingdom market.

Agricultural conditions in India are such that the prospect of expansion in any case is remote. As for coffee, even assuming the possibility of some expansion in its production, preference is not likely to be of great value, as the Empire competitors like British East Africa, occupy a much stronger position

Referring to tobacco, India will not be able to derive any benefit by preference. If the preference is withdrawn, the loss to India is estimated at about one per cent of her total production.

In regard to groundnuts, the United Kingdom takes only six per cent, while foreign countries take 90 per cent. The capacity of United Kingdom market is just another six per cent and therefore the possibility of expansion is only that much.

Regarding jute manufacturers, India's principal markets are the United States and Argentine. India has a monopoly of raw jute, and in jute manufacturers, India's rival is Britain itself. Besides, the value of India's trade with the United Kingdom in jute manufactures is only five per cent. of the total exports. India can, not only protect herself against Dundee, but can expand her jute manufacturing industry, by repealing the export duty on jute manufactures.

As for tea, the Minority Report does not regard Ceylon as a serious competitor, as the capacity of her production is limited. The British public will protest against any exclusion of Indian tea, because it would raise prices. Thus, in the case of a monopoly and of semi-monopoly commodities, the Agreement has no value, and in the majority of cases preference would only result in the diversion of trade from foreign countries to the United Kingdom with no practical advantage to India. In the case of all raw products generally, the possibilities of expansion, having regard to the actual conditions of Indian agriculture, are more than doubtful, and in any case the benefit of the increase in trade for the most part, is absorbed by middlemen, exporting houses, and shipping and insurance companies.

GOUR-RANGA AIYAR NOTE

Sir H. S. Gour and Mr. C. S. Ranga Aiyar, in a supplementary note to the report of the Ottawa Committee say that the material made available to them leave them in doubt as to whether the Agreement would in the end be conducive to the advantage of India. In this state of mind, two courses readily occurred, namely, ratification or rejection but, proceeds the note, a third course is more preferable. This is to accord consent provisionally to the agreement for a short period of three years, at the end of which the Government should place before the Assembly the result of the experience gained and the facts collected regarding its operations, and it should give the Assembly a decisive voice upon the question whether the Agreement should be continued. Meanwhile, an effective machinery should be set on foot to examine the trend of the Agreement upon the agriculture, commerce and trade of India, upon data supplied by the Government, in their annual return, with power to examine representatives of the interests effected. This Committee was to make a periodical report to the House to enable it to

form its judgment upon the utility or otherwise of the said Agreement. The witnesses examined have candidly admitted the lack of facts. The middle course taken escapes the Scylla of unconditional acceptance, and the Charybdis of its total rejection.

The Ottawa Agreement as amended by the Select Committee was rushed through the Assembly. Attempts to amend certain recommendations of the Select Committee proved unsuccessful and the amended Agreement Bill, committing India to its ratification for three years, to be watched over by an Assembly Committee to note the progress of Indo-British trade, was passed by the Assembly.

NOTE—For proceedings of the Assembly vide pages 729-751.

INDIAN MERCHANTS CHAMBER (BOMBAY)

The Indian Merchants' Chamber writing to the Government of India on the Ottawa Agreement, reiterate their view that the Agreement is mainly in the interests of Britain and that India will not lose much by non-ratification.

The following are extracts from the Chamber's letter:

The Delegation admit that in the case of those articles, in which India possesses what amounts to a practical monopoly in the British market, a preference is "nugatory." They enumerate articles, like Raw Jute, Lac, Myrabolams, Broken Rice, Mica and certain varieties or Hemp, in which India enjoys such a monopoly

In the case of Cotton, it may be noted that a duty on foreign cotton imported into the United Kingdom was suggested by the Indian Delegation but the British delegation made it plain that they could not entertain such a proposal at all. The only article of importance in which an additional market could be given to us by the United Kingdom is Raw Cotton. But a preference in favour of Indian Cotton is flatly denied.

The Delegation, indeed, admit that "the importing country has always to consider the interests of its own manufacturers, and most naturally be reluctant to impose duties, which would increase their cost, more particularly when the finished products of industry are ultimately exported to foreign countries." The bulk of our exports to the United Kingdom consists of raw material for British export industries. And that being the case, they should have realised that India had nothing to fear from the operation of the Import Duties Act. The very interests of British industry would have dictated to His Majesty's Government the inadvisability of doing anything to increase its cost of production by the imposition of such duties.

For, an import duty on essential raw material must inevitably fall on the manufacturer who uses it, and to that extent his ability to compete in foreign markets must diminish. It should, moreover, have been obvious that most of India's exports to the United Kingdom are such as cannot be so easily replaced from other sources. The preference accorded to India by the United Kingdom on such articles is, therefore, sham and illusory.

In answer to Britain's threat of penalising Indian goods, the delegation could have, with equal justification, threatened to withdraw the advantage "already given" in Steel and Textiles. That such a natural attitude would have gone home to the British Delegation may be realised from the fact that they were fully conscious of the substantial advantages which Britain was receiving by these already existing preferences.

EXISTING ADVANTAGES

The Delegation have omitted to consider that, apart from actual tariff preference, British goods already receive substantial preference in this

country in a variety of other ways. By administrative arrangements; by the fact of British investments in this country: by the manipulation of the currency policy of the country; and no less, by the introduction of the preferential method in the schemes of protection already in operation, British goods already receive preference in the Indian market, for which India does not get any adequate return. Indeed, Britain has always acted on the basis that India should be the producer of raw materials, and should be a free and open market for British goods. She has derived advantages in the past by the imposition of an excise duty in favour of Lancashire.

She has manipulated Indian currency and exchange to the advantage of British interests, and even now, to the serious disadvantage of India, free of export of gold is allowed. Since Britain departed from the Gold Standard and the Rupee was compulsorily linked to Sterling at the Statutory Rate, British exports to India have secured preference of about 33 per cent over Gold Standard countries. This was in addition to the advantage of 12 1-2 per cent already conferred on them by the currency manipulation that raised the Statutory Rate from 1-4 to 1-6. On the top of this, the Agreement proposes to give them a further additional advantage of 10 per cent; and this is what the Indian Delegation are pleased to call a substantial gain to India!

AHMEDABAD MILLOWNERS' ASSOCIATION

In a letter addressed to the Government of India, Commerce Department, the Secretary of the Ahmedabad Millowners' Association points out that the burden and sacrifice which India has to bear under the Agreement are highly incommensurate with the advantages to be gained on the so-called reciprocal basis. According to the Millowners' opinion, a general unsettlement of trade and industrial conditions in India is a necessary corollary to the acceptance of the proposed Imperial Preference.

The special feature of the problem to be borne in mind in the case of India is not the securing of increasing outlets for its exports and expansion of its foreign trade but is chiefly the facilitating and ensuring of the utilisation of its immense natural resources and raw materials in the expansion of its industries, arts, crafts, and other articles of manufacture which are imported from foreign countries whish in several instances, import raw materials from India and export their finished products to India, thus leaving practically no scope for the firm establishment and progressive industrial development of the manufacture of such articles.

The Trade Agreement concluded at Ottawa does not in the opinion of my Committee stand the test of this economic and industrial touch-stone so far as India is concerned and the burden and sacrifice involved under the proposed Agreement are highly incommensurate with the advantages to be gained by India on the so-called reciprocal basis. My Committee feel that the question of preferential reciprocity in the case of India is based on an erroneous judgment and inaccurate hypothesis, as is evidenced from the terms of the Ottawa Agreement.

The delegation selected by Government themselves seems to have taken an exaggerated view of the avoidance of certain loss instead of taking a firm stand on India's potentiality securing an expansion of its industries with a view to consume the large quantities of raw materials which are exported to foreign countries practically at unremunerative prices and imported back as manufactured articles to the detriment of its industrial growth and economic development. A chain is no stronger than its weakest link and the weakest point of the whole case is that the principle of Imperial Preference has been directly introduced in a positive form when the voice

of the nation raised a strong protest at the time of the introduction of discriminating protection by the backdoor in 1930, and which made Government to declare unequivocally in the Assembly that it was not committed to Imperial Preference. This indirect form of 1930 has been changed in its scope and effect into a direct and positive significance in the Ottawa Agreement of 1932.

The real need of the country whose total exports consist predominantly of raw materials and the manufactured goods of which seek markets not only in its own limits but elsewhere in foreign countries also, is to utilise these raw materials first, in increasing quantities, for its own economic uplift and industrial development. The Ottawa Agreement fails to give predominance to this issue and leads the way to the export of raw materials to foreign countries and the supported possibility of mutual benefits to be derived by such exports. Some of the raw materials are either monopolies of India or are materials on which the United Kingdom levy duties only at the risk of crippling her stable export industries.

BENGAL NATIONAL CHAMBER OF COMMERCE

Following are extracts from a letter from the above Chamber to the Government of India—

The Agreement would, if given effect to,' constitute a fundamental departure from the existing fiscal policy and will have far-reaching effects not only upon the economic development of India but would also cause serious disturbance to the budgetary calculations of the Government of India who have to depend so extensively upon revenues from customs duties. The adoption of a general policy of protection for Indian industries was made after an exhaustive and open inquiry by a properly constituted Fiscal Commission. Imperial Preference, if adopted, would not only introduce a basic change in India's fiscal policy but would in many respects cut right across the very policy of protection that we have been following. The Committee are of opinion that consistently with the established practice, such a change can properly be made only after a new fiscal enquiry and after the opinion of the country has been fully ascertained. If that were not possible the question should at least have been referred to the Tariff Board.

On the basis of 1930-31 figures the value of the imports from Britain that would receive preference comes to about 46 crores of rupees; whereas the value of India's exports to Britain that can benefit aftectively from British preference amounts to about 32 crores of rupees only. The benefits to Britain are immeasurably more than the advantages to India. If equality of sacrifice and equality of benefits are considered necessary and normal features of tariff bargains between two countries, the Agreement entered into at Ottawa has to be unhesitatingly condemned.

The Delegation has asserted that the extension and development of India's export trade was one of the principles they have throughout kept before them. How our export trade can be increased by the allowance of preference to our exports in a country which purchased only 24 p.c. of our total exports in 1930-31 against simultaneous adoption of a scheme of imposing discriminatory duties upon our imports from a whole group of countries who bought 66.4 p.c. of the exports, involving all the consequential risks of an adverse re-action on the prospect of our exports to the latter, is an economic enigma to the Committee of the Chamber. The Committee consider that even on the presumption of a minimum scope for possible retaliation by non-British countries, the Agreement, as it stands, is conspicuously lacking in a balance of reciprocity on account of the absence of any specific obligation undertaken by England for compensatory off-take of some important com-

modities like pig iron and cotton in respect of which the sufferance of India's exports through retaliation is pretty certain.

The objections arising from the method of extending preference to Britain are more serious. There are three alternative methods:—

(1) by increasing the duty on non-British goods, or

(2) by reducing the duty on British goods, or

(3) by increasing the duty on non-British and reducing the duty on British goods to some extent.

In the first case a rise in prices is most likely to occur, and, the consumer will have to pay. The average Indian consumer is a comparatively poor man. He is already bearing the burden of a policy of protection for Indian industries. It is however inevitable from the point of view of the future economic development of the country, and it has its compensations arising from the increased national wealth. But to ask him to bear an additional burden for the sake of the industries of another country, especially in these days when his income is shrinking will, in the opinion of the Committee, be a gross economic injustice.

Secondly the lowering of duties on British goods has two dangers. In many cases it would not be possible to do so without also lowering the measure of protection at present enjoyed by many Indian industries as a result of high customs duties, whether imposed as protective measure or not. Considering the stage of economic development that India has reached and the anxious times that are being experienced by many industries in the country, the Committee are definitely of opinion that such a step would be ruinous to them.

The third alternative of giving preference to British goods by increasing to some extent the duties on non-British goods and by reducing to some extent the duties on British goods would probably partake of all the evils. It might lower the level of protection enjoyed by Indian industries at present, increase the burden on the consumer and diminish the revenues of the Government to a smaller extent all at once, depending upon the direction and extent of these tariff adjustments.

OTTAWA TARIFF DUTIES

A communique dated 30th December of the Government of India states,—The Government of India have decided that the existing tariff valuations will be continued till the 15th January 1933, and that revised valuations to be published in the Gazette of India, of the 31st December will be brought into effect on and from the 16th January 1933.

OTTAWA CONFERENCE COST

A cost of more than Rs. 2 lakhs incurred in connection with the Indian delegation to the Ottawa Conference was accepted by the Standing Finance-Committee of the Indian Legislative Assembly.

EXCISE ON TOBACCO

The Government of India, in view of the report by the Federal Finance Committee for imposition of excise on tobacco, called a conference of provincial representatives at Delhi to discuss this question. They acknowledged that if tax was levied and the principles that at present govern the distribution of revenues remain unchanged, the benefit thereof should go mainly, if not entirely, to the Provinces.

The Government felt that tobacco which was generally subjected to taxation in all parts of the world, including some parts of India, would not be beset with real difficulties if proper means could be devised for imposition of such a tax in British India.

. The contemplated proposals were (a) licensing of vend (b) levy of excise duty on manufactures and (c) imposition of a transport tax.

Local Governments were asked to submit their opinion on the various aspects of the question and to state in particular whether they considered it practicable to introduce in Provincial Legislatures in the near future any measure for imposition of levy on vend of tobacco.

INDIA'S GOLD DRAIN

Supporting Indian commercial opinion against the drain of gold from India the Maharashtra Chamber of Commerce, Bombay, state in a letter to the Government of India that since the United Kingdom went off the Gold Standard in September 1931 gold shipments from India amount to Rs. 8,913 crores, which is about three quarters of the world's recent output. Besides stimulating a rise in the price level this drain has enabled India to meet her obligations to Britain and has been a windfall to Britain, enabling her to liquidate her American and French credits promptly. The Chamber points out that Gour's objections to purchase gold in the open market may have been sound at one time, but are not so now. The Bank of England has been buying gold since the abandonment of the gold standard by Britain, although these purchases do not figure in the Bank's weekly statements. Its gold stock stood at £ 120 millions in January 1932, at £ 140 millions in September 1932, even after the Bank had met the huge foreign obligations. The Bank of England published officially its purchases of gold only after the middle of May 1932, the sterling dollar cross rate being then about 3.67. The cross rate has declined since then by about 20 points with a further sharp fall recently. The chamber asks why the Government of India cannot follow the example of the Bank of England and buy gold. As regards Government's objection about the insufficiency of resources the Chamber states that the ways and means of Government are much better now and that the resources created to purchase sterling securities can be controlled at any time. But it may not always be possible to have gold with sterling securities. The Chamber does not think Government's objection sound that Government has a proper proportion of gold and that Government does not want additions to it. The recent paper currency statement shows that against a note circulation of Rs. 175.26 crores there is a gold bullion reserve of 11.23 crores which cannot be considered to be a proper or fair proportion. Now that Governments sterling securities requirements have been met there is no longer any necessity to acquire them further.

The above communication was made towards the end of October. Since Britain went off the gold standard, the total value of gold exported from Bombay upto the 31st December, amounted to Rs. 1,05,27,60,190.

AGRICULTURAL RESEARCH

AT the meeting of the governing body of the Imperial Council of Agricultural Research at Simla under the chairmanship of the Hon'ble Chaudhury Zafarulla Khan, many important decisions were reached and research schemes of far-reaching importance emanating from various centres and universities were sanctioned. The following are some of the more important schemes sanctioned:—

(1) The scheme costing Rs. 18,750 for the development of Methodology of rural research submitted by the Agricultural department of the Viswa-bharati, Sriniketan; (2) the scheme for the investigation of the organic constituents of Indian soils by Dr. Ghose of the Dacca University costing Rs. 11,200; (3) the scheme for research in Syrological study of Indian crop plants by the Madras University costing Rs. 25,830; (4) the scheme for research in the systematic collection of medical plants and the study of food poisons in India by Col. R. N. Chopra of the School of Tropical Medicine, Calcutta, costing Rs. 62,860; (5) the scheme for research in the manufacture of the products and bye-products of milk by the Imperial Dairy Expert, at the Ananda Creamery, costing Rs. 1,10,698; (6) the scheme for research in the indigenous drugs of India with special reference to their Toxicology by the Madras Government, costing Rs. 73,080; (7) the scheme for the establishment of a Sugarcane research station in the Punjab costing Rs. 1,32,970; (7) the scheme for a research and testing station for the indigenous system of Gur and Sugar manufacture drawn up by the Sugar Technologist costing Rs. 1,67,380 and (9) the dry farming research scheme for Bombay and Deccan costing Rs. 2,40,000.

INDIA'S FOREIGN TRADE

The Review of the Trade of India in 1931-32 states that the year has been even more disastrous than 1930-31, a year of unparalleled economic collapse throughout the world The major portion of the fall in the value of imports was due to economic rather than to political factors. Only in the case of cotton piecegoods, tobacco and certain iron manufactures was boycott partly responsible for the fall in the volume of imports.

The total value of the imports of merchandise into British India in 1931-32 amounted to Rs. 126 crores, and that of exports to Rs. 161 crores. Compared with the last year, the figures represent a decline of 38 crores or 23 per cent in the case of imports, and 65 crores or of 29 per cent in that of exports. The fall in imports under the textile group amounted to six crores on a total of Rs. 41 crores recorded in 1930-31. The imports of raw cotton, on the other hand, rose from 58,000 to 79,000 tons concurrently with the progressive decline under piece-goods. Next in order of magnitude was the reduction in imports under the Metal group which amounted to Rs. 614 lakhs; but if along with this group are included items like machinery and mill-work, hardware, cutlery, implements and vehicles, the aggregate decline under this head comes to 14 crores. It may be of importance to mention that in spite of the general depression in this line of trade the percentage share of the United Kingdom in the total imports of iron and steel showed a slight improvement. The sugar trade remained in doldrum

throughout the year imports having declined from one million tons valued at Rs. 10,96 lakhs, to one half. Consignments of mineral oils fell from 242 million gallons, valued at Rs. 10,48 lakhs to 217 million gallons valued at Rs. 9,04 lakhs.

On the export side, the outstanding factor was the slump in the raw cotton trade. Exports of raw cotton fell from Rs. 46 crores to 23 in value. The decline in the value of raw and manufactured jute amounted to Rs. 12 crores. Under foodgrains, value of shipments declined from Rs 29,88 lakhs to 20,37 lakhs, although the total quantity exported remained unchanged. Tea trade had also a critical year, and this was reflected in the shipments of tea which fell by 14.7 million lbs. in quantity and Rs 4,12 lakhs in value. There was a 5 per cent decline in quantity and 18 per cent decline in the value of oil-seed exports, as compared with last year. Exports of hides and skins decreased from 83,000 tons valued at Rs. 11,74 lakhs to 49,400 tons, valued at 892 lakhs. There was a 15 per cent decrease in quantity and a 41 per cent decrease in the value of lac exports as compared with last year. The total value of the re-exports amounted to Rs. 4,46 lakhs, representing a decline of 48 lakhs, as compared with 1930-31 and of 2,47 lakhs on the basis of 1929-30.

The visible balance of trade in favour of India during the year was Rs. 90 crores as compared with 38 crores in the preceding year. Transactions in treasure on private account resulted in a net export of Rs. 55-2-3 crores as against a net import of Rs. 24 crores in 1930-31. Gold showed a net export of Rs. 58 crores and silver a net import of 2½ crores. The net exports of currency notes amounted to Rs. 26 lakhs. The heavy gold exports show that economic pressure in the country was tending to cause accumulated savings to be drawn on and some part of this gold may be called distress gold. It is also suggested that gold shipments may have been made to facilitate the export of capital. The review states that if this suggestion is correct, it means that some of the gold exports were used for the purpose of the transfer of capital from India to foreign countries.

Reviewing the rupee exchange during the year, it is stated that the difference between the highest and the lowest rates was 15|32d, the highest rate being 1s. 6 5|32d. Freight rates were lower than in the preceding year. The tariff was enhanced as a result of the passing of the Indian Finance Supplementary and extending Act. Protective duties were also imposed on magnesium chloride and other heavy chemicals, wood pulp and wireless reception instruments.

IMPORTED SALT

The Government of India received representations from the Indian Salt Association, the Karachi Salt Association and the Tuticorin Salt Merchants' Syndicate to the effect that foreign (African) salt was being dumped in the Bengal market at prices below fair selling rate fixed by the Tariff Board, it being impossible for Indian salt of the same quality to compete and asking the Government of India to exercise at once the powers vested by the Salt (Additional Import Duty) Act and impose an additional import duty on non-Indian imported salt.

The Government of India have now published the report of Mr. Ward, Collector of Customs, Calcutta, and their own conclusions regarding the matter. The Government resolution reviews Mr. Ward's report and states:

"It cannot be said that the manufacturers on the mainland of India have been prevented from selling their salt by unfair undercutting by foreign purchasers. It appears that Indo-Aden salt was selling at the standard price of Rs. 66 per 100 maunds and foreign (African) salt at prices equivalent with

an additional duty, to Rs. 59 and Rs. 64 per 100 maunds, while Okha was unable to find buyers at Rs. 58 to Rs. 61. The Government, therefore, consider that no case was made out at the enquiry for imposing an additional duty, but should any marked further reduction in the general level of prices be established, which cannot be justified on the ground of further reduction in freights, the position may require reconsideration. The Government will continue to watch the situation closely in order that action may be taken promptly whenever a necessity may arise."

BENGAL INDUSTRIES

' The Government of Bengal resolution on the Annual Administration Report of the Department of Industries, Bengal, for the year 1931-32, states:

There was, not only no scope for the initiation of new schemes of development but normal activities had to be further curtailed in several directions. It is, however, gratifying to note that in spite of the financial limitations the departmental activities in the chemical, engineering, tanning and weaving sections, as detailed in the Director's report, succeeded in assisting the development of small.factory industries. It may now be fairly claimed that the activities of the chemical section have given an impetus to the development of the soap industry on up-to-date lines of local sources of vegetable oils which hitherto had little or no economic use. Steps were also taken during the year towards the development of the silk industry in Bengal. It is recognised that the improvement in the technique of reeling of silk is of paramount importance in reviving the industry, and with a view to bringing home to the reelers the advantage of reeling with modern machinery a domestic reeling plant and hand-twisting machine of the Mysore pattern were installed at the Government Silk Weaving and Dyeing Institute at Berhampore.

VOCATIONAL TRAINING

The following communique has been issued by the Department of Agriculture and Industries, Government of Bengal:—

A comprehensive programme of economic reconstruction has been sanctioned by Bengal Government. The scheme comprises the provision at all important centres in the province, of facilities for traninig to middle class young men in suitable local and indigenous industries, the products of which are in universal use and have already a widespread market all over the province. The immediate objective is to give the unemployed young men the opportunity of a short intensive training and practical familiarity with new and improved processes in the more important cottage industries which have an economic possibility and which have already been instrumental in finding remunerative occupation for a large number of young men.

These are jute and woollen textiles, i.e., the production of fancy jute matting ashans, satranchis, furnishings, tennis nets, badminton nets, school bags etc., made from jute yarn, spun, dyed and woven or knitted as the case may be from the local jute fibres; umbrella hand-bending, cover-making and assembling; brass and bell metal ware of improved standard alloys and using modern moulding processes; cutlery articles, the making of daos, knives and other cutlery instruments in common use from standard supplies of tools-steel of known contents and temper; pottery, the moulding and throwing of pottery articles on an improved potter's wheel enabling more rapid, accurate and artistic form of pottery ware to be moulded than is possible with the indigenous country-made potter's wheel; boot and shoe and other leather products which can be made from good quality leather tanned in Bengal, owing to the activities of the chemical section of the Industries Department.

NOTABLE TRIALS

NASIK JAIL ASSAULT CASE

IN a communique published from Bombay, Government of Bombay states under date 7th November:

Government have been informed that there has been a case in which a prisoner in Nasik Road Central Prison is alleged to have been assaulted by certain members of the jail staff. The matter was inquired into by the District Magistrate who took cognizance of the case.

Accordingly Mr. Roche, Jailor, Mr. Jackson, Deputy Jailor, and two warders and a havildar were suspended and case was instituted against them under section 325 I.P.C. with causing grievous hurt to Mr. Amritlal Morarji Wasi, a political prisoner. The trial commenced on the 12th December before Mr. T. E. Streatfield.

Mr. R. D. Shinde, Public Prosecutor, opened the case for the prosecution, after which Mr. Amritlal Morarji, gave evidence. He stated that he was required to squat down, and put his hands on his feet, when any jail staff passed by him. He did this for sometime, but later objected to it. On the 27th October, he was taken into a cell with iron fetters on his legs, and five of the accused assaulted him. He was beaten with batons on the head, body and feet, and lifted up and dashed down until he became unconscious.

The case continued upto the 21st December when it was postponed as one of the accused fell ill and had to be admitted to hospital.

SURAT CONVICTION

Gabilal Marphatia, who was sentenced by the Magistrate of Surat, to six months and a fine of Rs. 500 on a charge of assisting the operations of an unlawful association under Section 17 (1) of the Criminal Law Amendment Act, was acquitted on appeal by the Chief Justice and Justice Murphy of Bombay High Court on the 10th November. He was charged with distribution of Congress money.

"CONGRESS NOT AN UNLAWFUL BODY"

Holding that the Congress as such, has not been declared an unlawful assembly, Justice Jailal of Lahore High Court set aside on the 11th November, a sentence of six months rigorous imprisonment passed on four Congress girl workers. They were charged with pulling the communication chord of a train and exhorting passengers to enlist as Congress volunteers.

FORFEITURE OF PRINTING PRESS

In the Calcutta High Court Justice Panckridge and Patterson issued a rule on the 14th November on an application made on behalf of Nrisingha Chandra Ghosh, against the order of the Chief Presidency Magistrate forfeiting a printing press under Sub-Section (3) of Section 17 of the Indian Press Emergency Powers Act of 1931. He was charged with accepting the printing of unauthorised news sheet published by the Bengal Congress Committee. Their Lordships issued a rule and granted stay of further proceedings in the matter.

"HINDU PUNCH" SEDITION CASE

The Chief Justice and Mr. Justice Pearson of Calcutta High Court reduced on November 16 the sentence passed on Bishwanath Singh Sarma, editor of "The Hindu Punch" under Section 124-A of the I. P. C. to the period already undergone, that is about eight months.

The editor was charged for the publication of three poems in September last. As regards the first poem, the Chief Presidency Magistrate had stated that this was a hymn of hate which, in His Lordship's opinion, was near the border line. There was, however, a slip in the judgment. The Magistrate had not said that he had convicted the appellant on the other two charges, though it was clear from his judgment that he meant to do so. These, however, in His Lordship's opinion, were seditious.

Taking the contents of the other two poems and other circumstances into consideration; His Lordship thought that he must alter the conviction on the first charge and make a formal conviction on the second and third charges.

INJUNCTION ON RAILWAY AGENT

At the Lahore High Court on November 18 Justice Addison, setting aside the temporary injunction issued by the Subjudge of Lahore on the Agent, N. W. Railway from discharging one hundred and fifty-nine employees of the Moghalpura workshops.

His Lordship quoted several rulings of the Privy Council and the concluding words of Section 32, Clause (4) of the Government of India Act which says "That no person executing any assurance or contract on behalf of the Secretary of State-in-Council, shall be personally liable in respect thereof, and such liabilities and costs and damages in respect thereof shall be borne by the revenues of India." He held that no notices under Section 80 of the Code of Criminal Procedure had been given to the Agent. His Lordship, concluding, said that it was not open to the Court to "frivolously and vexatiously" issue such a process without proper cause and due consideration. Therefore he allowed the appeal with costs, and set aside the order of the Sub-Judge issuing a temporary injunction.

KANARA EDITOR ACQUITTED

Mr. Justice Broomfield and Mr. Justice Murphy on the Appellate side of the High Court of Bombay on the 24th November squashed the conviction of Pandurang Krishna Shanbag, editor and printer of "Canara News" a weekly published at Kumpta (Canara district) who was sentenced to a fine of Rs. 200 by the First Class Magistrate on the charge of assisting the operations of an unlawful assembly, under section 17 (1) of the Criminal Law Amendment Act.

IS IMPRISONMENT ILLEGAL WHEN ORDINANCE EXPIRES?

The question whether the provision of imprisonment for any period beyond six months from the date of promulgation of an Ordinance was ultra vires in view of section 72 of the Government of India Act of 1919, was discussed before Mr. Justice Panckridge and Mr. Justice Patterson of Calcutta High Court on the 5th December.

The point was raised by Mr. N. K. Basu in moving an application in the nature of 'habeas corpus' under section 491 Cr. P. Code on behalf of Jogendra Chandra Roy calling upon the Superintendent of the Dum Dum Special Jail to show cause why the petitioner Roy who had been detained in the said jail 'illegally' should not be set at liberty.

ARMS ACT PROSECUTIONS

Several prosecution took place under the Arms Act during the quarter. The following are the reports:—

(1) Hudson, proprietor of the Glander Tea Estate, North Pahartali, Chittagong was charged with the possession of unlicensed fire-arms. Convicted. (2) Haripada Choudhury, third year student, Scottish Church College, was charged with possession of 2 bombs. Convicted. (3) Phani Bhusan Das Gupta, ex-editor, "Swadinata" (defunct) under sentence of transportation in the Singa Armed Dacoity Case (Barisal) and Sudhangsu Kumar Sen were charged with carrying a revolver and cartridge. Convicted. (4) Kudrally Hazratally Pathan employee in Bombay Port Trust Railway was charged with concealing an automatic pistol and cartridges. Convicted. (5) Manmatha Nath Biswas's appeal from jail against conviction for secret possession of a revolver and live cartridges by Chief Presidency Magistrate, Calcutta, upheld by Calcutta High Court. Released and acquitted.

Mr. Almond, Sessions Judge, Peshawar, pronounced orders on December, 23 in the Frontier Mail Train Bomb Explosion Case, acquitting Raghunath, Beharilal and Bhumittar.

The accused, who are students of the Islamia College, Peshawar, and belong to respectable local Hindu families, were arrested on 19th April last in connection with a bomb explosion near the Peshawar Fort Bridge on the railway line on the evening of 18th April at the time of the arrival of the Up Frontier Mail train.

MRS. COUSINS

Mrs. Cousins, a co-worker of Dr. Annie Besant was prosecuted at Madras on a charge of sedition for deliverinng two lectures—one in the Gokhale Hall on the 3rd December and another at the Triplicane Beach on the 7th. She was bound over to be of good behaviour for a period of one year and to execute a bond for Rs. 10,000 and furnish two sureties for a like amount each. The case was taken up on the 10th December by the Third Presidency Magistrate.

GRASSBY SHOOTING CASE

The following judgment was delivered on 18th Nov. 1932, in the Grassby shooting case in which Benoy Bhusan Dey Roy was charged under sections 307 I. P. C. and 19 (F) Arms Act and sentenced to transportation for life:—

We hold that we are not entitled to pass a sentence of death and that we are entitled only to pass such sentence as is provided by section 307 of the Indian Penal Code. We, therefore, find the accused, Benoy Bhusan Dey Roy, guilty of attempting to murder Mr. Grassby and of causing hurt to Mr. Grassby in that attempt, and we sentence him under section 307 of the Indian Penal Code to transportation for life. We also find him guilty under section 19 (f) of the Indian Arms Act, but we pass no separate sentence under that section.

[Reference has been made to the occurence on p. 640 of the Vol. II of the Recorder.]

"AMRITA BAZAR PATRIKA" CASE

Delivering judgment in the "Amrita Bazar Patrika" contempt of court case, in the Calcutta High Court on the 1st December. Mr. Justice Panckridge said that the present rule had been granted on July 18 last by Jack and M. C. Ghose, J.J., on the application of His Excellency the Governor-in-Council calling upon the editor, printer and publisher of the "Amrita Bazar Patrika" to show cause why they should not be ordered to stand committed

or otherwise dealt with for contempt of the court of Commissioners at Midnapore which tried the Douglas murder case and of the High Court in respect of the publications made in the paper of June 12, 14, 17, 22, 23 and 26 as contempts of that court and of this court by reasons of the provisions of the Contempt of Courts Act of 1926. On April 30 a man named Prodyot Kumar Bhattacharjee assassinated Mr. Douglas, District Magistrate of Midnapore and a Tribunal of Commissioners was appointed under the Criminal Law Amendment Act of 1930 to try the accused. The trial took place in the month of June as a result of which Prodyot was found guilty and was sentenced to death by the Tribunal by its judgment delivered on June 26, 1932. Prodyot filed an appeal on June 30 last. It was further alleged by the petitioners that two leading articles appearing in the issues of June 28 and 29 were contempts of this court.

Another argument has been addressed to us which is only concerned with the part of the application which seeks the punishment of the opposite parties for contempt of the Commissioners court is to the effect that such court is not a court subordinate to the High Court within the meaning of Section 2 (1) of the Contempt of Courts Act of 1926 and therefore the statutory jurisdiction of the High Court does not exist to a contempt of Commissioners Court. It was not suggested that the Commissioners are not a court and indeed their powers including those of trying, convicting and sentencing are peculiar to courts. Counsel's argument was based on Section 107 of the Government of India Act which gives to the High Court superintendence over all courts for the time being subject to their appellate jurisdiction and amongst other powers the power of making and issuing rules and prescribing forms for regulating the practice and procedure of such court. Mr. Basu points out that the only right of appeal from Commissioners to the High Court is the right of appeal given by Section 3 (1) of the Bengal Criminal Law Amendment (Supplementary) Act of 1925 to a person convicted at a trial held by the Commissioners, there being no provision for an appeal by the local Government from an order of acquittal such as is made by Section 417 Cr. P. C. and also that the power to make rules for the procedure of Commissioners Court is vested by Section 10 of the Principal Act not in the High Court but in the local Government. We do not think that these arguments lead to the conclusion that Mr. Basu urges upon us.

His Lordship said that the facts of a criminal trial which must under the law be considered judicially by this court should first be the subject of lengthy and detailed criticism in the press cannot in our opinion be tolerated for a moment.

The affidavit filed by the editor states that editors believe that they are entitled to comment when an appeal has not yet been filed. In support of this statement the deponent annexes a copy of "The Statesman" of June 26 containing the statement that the sentence of death will be generally approved and that the guilt of Prodyot is unquestionable.

We are only concerned with the case before us but we think it right to say that all comments in the press, whether by way of approval or disapproval of the judgments of the court of session or of commissioners in capital sentence cases made, pending their disposal by this court are reprehensible and may entail most disagreeable consequences on those responsible for it.

We do not in the circumstances of the present case consider it necessary to commit the opposite parties to prison and we consider it sufficient to order that each of them should pay a fine of Rs. 500 within Dec. 15 next.

WATSON SHOOTING CASE

Mr. T. H. Ellis, Special Judge at Alipore, who tried six Bengali young men charged with conspiracy to murder Sir Alfred Watson, editor of the "Statesman," and harbouring or concealing offenders, delivered judgment in the case on the 17th November and sentenced the accused as follows:--

(1) Sunil Kumar Chatterjee (23)—transportation for life; (2) Promode Ranjan Bose (25)—rigorous imprisonment for ten years; (3) Amar Chandra Ghosh (21)—rigorous imprisonment for two years.. Accused Prankumar Das, Abani Bhusan Datta and Manasha Charan Bakshi were acquitted.

HANDCUFFING POLITICALS

"I recommend to the Police not to hand-cuff political prisoners hereafter. The police should know that there is no necessity for handcuffing politicals unless they are turbulent" observed the Chief Presidency Magistrate during the trial of Messrs. P. S. Krishna and P. Joshi, two Congress workers, who were brought handcufted to the court room on October 25. The accused complained to the court that in spite of their remonstrations and assurances the police handcufted them while in the lock-up while a large number of ordinary criminals were led without handcuffs

SARDAR PRATAP SINGH.

Mr. Justice Jailal disposed of on October 21, the revision petition filed on behalf of Sardar Pratap Singh, Editor, "New Era" who presided over the Amritsar Political Conference in June last and was sentenced to an aggregate of five years' rigorous imprisonment and a fine of Rs. 200 setting aside the conviction under section 17 (1) of the Criminal Law Amendment Act. Mr. Justice Jailal observed that the Congress as such was not an unlawful association and the preaching of boycott of foreign goods, the Civil Disobedience Movement and resolutions for complete independence at the Lahore Congress could not bring the case within the ambit of section 17 (1) of the Criminal Law Amendment Act. Mr. Justice Jailal also accepted the petition under section 224 I. P. C. and held that on the facts it was found that obstruction to his apprehension was the only technical offence. His lordship therefore, reduced the period of sentence to that already undergone and ordered the fine, if paid to be refunded.

THAYETMYO REBELLION CASE

In the Rangoon High Court on November 3, Mr. Justice Brown and Mr. Justice Ba U, vacation Judges, delivered judgment in the appeal in the last of the series of rebellion cases in Thayetmyo. Twenty-three accused were originally concerned. The case against two was withdrawn and one accused turned approver. The Special Judge of Thayetmyo sentenced two to transportation for life and the rest to death.

Their lordships reduced the sentence of death to transportation for life in the case of six appellants and confirmed the convictions and sentences in the case of the remaining fourteen.

INDIAN MILITARY ACADEMY

BEFORE a large and distinguished gathering, the Commander-in-Chief inaugurated the Indian Military Academy on the 10th December. His Excellency, said:—

"We began with the small experiment of Indianizing eight units, and we have, in the last two years, taken several big steps forward. We have more than doubled the number of units in the process of Indianisation. In addition we have opened all the arms, services and departments to Indians for the first time. Now, we have opened this Indian Military Academy. I would also mention a very important fact that the first Indian King's Commissioned officer has been admitted to the Staff College.

"NO PLACE FOR POLITICS IN ARMY LIFE"

May I urge you to remember that politics do not and cannot find any place in Army life. The Army can have no politics. It is the paid servant of the people and is at the disposal of the Government of the day, whatever may be the political complexion of that Government. Once there is any suspicion that the army or any part of it is biassed politically, from that moment the Army has lost the full confidence of the nation who pays for it. It is no longer impartial and that way lies chaos and civil war. Secondly, I would ask you to remember that you come here to have your first lessons in three principles which must guide an officer of the National Army. The safety, honour and welfare of your country comes first always and every time. The honour, welfare and comfort of the men you command come next. Your own care, comfort and safety come last always and every time.

In a social meeting held in connection with the opening ceremony, Captain Sher Mahomed Khan, M.L.A., addressing the audience, said that the Academy was a land-mark in the annals of the defence of India. Their long-cherished desire to have in their country an institution of the type of Sandhurst had been fulfilled, and the foundations of higher military training had been laid in their own country. No nation could hope either to appropriately defend herself against foreign incursions or to consider herself fit for Home Rule, unless she was imbued with the spirit of service and sacrifice. That necessitated efficient military training, which, in its own turn, could not be acquired without fully equipped institutions. The training received in foreign institutions, however good and efficient it might be, could not inspire so much patriotism as training in one's own country could do.

LIFE IN THE ACADEMY

In giving the present strength of the Academy, the "Associated Press Special Service" gives the following information. "There are forty cadets at present, eight of whom are from the non-martial classes. So far, they have given a very good account of themselves, and none can distinguish between them and the cadets of the so-called martial races. Of the cadets, sixteen are Hindus, twelve Musalmans, eight Sikhs and four Christians. Again, fifteen have been admitted by open examination, fifteen from the Indian Army and ten from the Indian States."

SEPARATION FROM INDIA

THE final analysis of the Burma elections was as follows:—Anti-Separationsts—42; Separationists—29 and Neutrals—9.

Mr. U Chit Hlaing, President of the General Council of Burmese Associations and all-Burma anti-Separation League sent on November 21, the following cable to London, to the Chairman and leading Indian members of the Round Table Conference:—

"Anti-separationists having been returned by a clear majority of thirteen seats and an overwhelming number of votes, we urge acceptance by the British Government of this definite verdict of the electorate against separation, in accordance with the Prime Minister's statement of policy at the Burma Round Table Conference, and to announce officially rejection of the separation policy.

This urgent action is essential for immediate participation by Burmese anti-separationists in the present session of the Indian Round Table Conference, with a view not merely to assist in the evolution of a federal system in which Burma is now intimately interested, but also to discuss with Indian delegates, the adjustments required of special conditions prevailing in Burma.

If notwithstanding the Burmese people's clearly expressed wishes you still insist on the Council discussing the separation question, we would request you to direct the local Government that the nominated members should not vote as it would go counter to the official promise to leave decision to the electorate. Abstention of the nominated members from voting will not prejudice any minority or special interests as they have all been fully represented on the electoral rolls."

In the Commons, Col. Wedgwood asked whether in view of the attitude of the Burmese priesthood towards Democratic reform Sir S. Hoare would discount their influence in the present elections.

Sir Samuel Hoare said that, according to his latest information, the position was: Anti-Separation parties 39, Separationist parties 20 and neutrals 9. Results yet to come are for three constituencies. The position, he said, was not clear, but he had good reason to believe that many of those who voted for the Anti-Separation candidates were still under a mistaken impression. It was not open to Burma to enter the Indian Federation on terms that would enable her to leave it when she wished. The Prime Minister indicated on the 12th of January and he himself stated in sufficiently plain terms on the 27th of June that this was not a contingency which Government were prepared to contemplate. The alternatives before Burma were, on the one hand, the separation from India in the immediate future and the pursuit of her own political destiny on the basis of a constitution as outlined by the Prime Minister on the 12th of January, and, on the other hand, the entry into India Federation, in which case she would remain a province of India and would be treated in exactly the same way as any other province and would have no means at her disposal for withdrawing from the Federation.

INSTALLATION AT NEPAL

AT the Installation of Maharaja Joodha Shum Shree Jung Bahadur Rana, the Maharaja dealt with the biggest problem, facing every Government, namely, the serving of the prosperity of the people. Speaking of the largest class in the State, the agriculturists, he briefly referred to some of their disadvantages, and said that measures, such as co-operative institutions, agricultural exhibitions and experimental farms were necessary, as much as main roads for the movement of produce. The rest-houses along the main road in the hills would be repaired for the convenience of travellers. He also announced that whereas at present telegrams had to be booked from Raxaul, local traders would be permitted to send telegraphic messages over the existing State telephone line. This telephone service would also be extended east and west linking up all the important centres and thus extending over several hundred miles. Inter-country money orders would also be introduced, and certain octroi taxes still levied would be abolished.

To encourage cottage industries in the valley, a new Hydro-Electric station would be erected, yielding twice the power of the present one, to provide current for small machinery for such industry.

His Highness added that industrial machinery would be permitted to be imported free of customs duties. He promised sympathetic consideration to any well thought out scheme for improving trade and commerce. However well-intentioned a scheme might be he said, much of the success of it would depend upon the officers through whom it had to be carried out.

KASHMIR RETRENCHMENT

The Kashmir Retrenchment Committee with Sir Bajar Dalal, President, issued their report by the end of October.

The recommendations are: to lower the rates of pay of officers whose services are not borrowed and to give reduced salaries to new entrants into services after enquiry by the Government; the moves of Government departments to be curtailed; the number of holidays to be reduced and a proper system of delegation of powers in the State to be introduced; pension charges have almost doubled during the past four years and the re-engagement of men retired or reduced on retrenchment is recommended; transfers to be reduced and for the future entrants to the services and for new promotions a salary of 20 per cent. below the fixed salary is recommended instead of a 10 per cent. cut.

At the first session of the Jammu and Kashmir Political Conference held in Srinagar city an announcement was made, of a land revenue remission of three lakhs from the current demands, in addition to the two lakhs already announced. The Maharaja also announced the appointment of a committee of three, containing one official, and one non-official to be nominated by the People's Union, the President being Raja Durjan Singh, ex-Minister and a leading Jagirdar, to enquire into the agrarian grievances throughout the State.

MISCELLANEOUS

WAR-DEBTS

BY the middle of November, the British Government sent a Note to the United States Government on the subject of War-debts payment. The Note recalls that European creditor powers met at Lausanne last June to agree to a lasting settlement of the problem of inter-governmental payments in respect of relation and agreements reached, aimed at an ultimate termination of all reparation payments. They represent maximum contribution in the field of inter-governmental finance which the governments concerned have hitherto been able to make towards an early restoration of world prosperity in which people of the United States no less than those of the British Commonwealth are so deeply interested and for which co-operation of the United States is essential.

Confronted last summer with a similar difficulty the Lausanne Conference found it necessary to reserve, during the period of the Conference, execution of payments due to the participating powers The Government hoped that a similar procedure might now be followed and ask for suspension of payments due from them for the period of discussions now suggested or for any other period agreed upon

FRENCH NOTE

The French Note to the United States similarly as the British, asks for an extension of the moratorium and a re-opening of the whole Debts question, which will have an excellent effect on the world monetary crisis It recalls the fact that the French Government voluntarily consented to the heaviest sacrifices at Lausanne, but the financial difficulties hindering the resumption of normal International relations persist A fresh effort to put an end to them is necessary in the interests of all.

The reply of the United States was published on the 26th November. The American Note stated that reparations being wholly European, the question in which the United States not involved, no inference could be intended that a settlement of German reparations at Lausanne was made in reliance upon any commitments given by the U. S. A Government. On the question of the suspension of the payment on December 15, the executive found no authority to grant such an extension.

Britain sent a Second Note to the United States Reply It stated, among other things, that the resumption of the War Debts payments would intensify the world depression and affirmed that the War Debts and Reparations were one of the major causes of it The note appended some figures in support of the argument and finally stated that in view of the Lausanne Settlement, it was unthinkable that Britain could continue the War Debts payments while foregoing the payments due to her. The note stated that the Government were convinced that prospects of the revival of the world trade would have improved by the postponement of the December instalment.

Matters took a different turn in France where debate on the War Debts in the Chamber ended at 5 a m., on the 14th December, when M. Herriot's proposal to pay the debt instalment with reservation was defeated by 402

votes to 187. The Government was defeated and decided to resign. Accordingly, a new cabinet was formed by the 18th December.

The President emphasises that the problem of foreign debts in the American mind is very definitely related to Disarmament and presents the American standpoint.

In reply to the British suggestion that the United States loans consisted entirely of expenditure on destruction and that the payments hitherto made are largely responsible for the existing world depression and the concentration of a large amount of gold in the United States and that the complete cancellation of war debts is essential for world recovery, the President says, "We cannot agree with these conclusions" and shows that a large amount of the loans was spent on non-destructive merchandise. In some cases purchases were resold and funds lodged in debtor treasuries. Some loans were spent in countries other than the United States and maintained the value of allied currencies.

The President says that many of the loans made before the Armistice, and substantially all made since, were not for destruction and less than one-third of the amounts expended in the United States by her debtors after she entered the War was spent for munitions and remounts. In reaching a settlement with their debtors the United States Government combined loans made during the War and after the Armistice, including the commercial credits and funded all in the debt agreements As a different practice prevailed in Europe the figures cited in the British note are not strictly comparable.

The President does not agree with the apparent overemphasis on the influence of debt payments on the world recovery. The statement that the payments of debts drained gold resources seems not to have been borne out by experience. United States gold is only 310 million dollars more than when the payments began while gold supplies in Europe have doubled since the beginning of 1921.

The President takes exception to the British statement that the Lausanne Agreement was initiated with the cognisance and approval of the United States Government.

Any way, the Washington message under date December 15 states that six countries met their financial obligations totalling 125 million dollars namely, Britain, Italy, Czechoslovakia, Finland, Latvia and Lithuania.

Five defaulted owing 25 million, namely, France, Belgium, Poland, Estonia and Hungary.

Another message of the same date states a Bill that is introduced in the American Senate virtually compels all American tourists to boycott the countries that have not paid the debts due to America.

FALL OF STERLING

All past records in the London market were broken by the sterling, which reached the lowest known level on November 29, namely 3.14½ but generally ruled at somewhere near 3.15¾. The only reason for this phenomenal fall was the crisis caused by the war debts situation. The sterling experienced a similar drop at New York, where it opened that day at 3.15 2-5.

The British debt due for payment to the United States on December 15 is 95,550,000 dollars, which is nominally an equivalent of £19,110,000, but would cost at the present rate of exchange nothing less than thirty million pounds.

ANGLO-PERSIAN OIL DISPUTE

The sterling shares of the Anglo Persian Oil Company experienced a sudden drop on November 29. following on news that the Persian Government have notified the Anglo-Persian Oil Company, the annulment of the "D'Arcy concessions" under which the Anglo-Persian Company have been exploiting Persian oil.

The Sterling shares of the Anglo-Persian Oil Company, which were quoted at £45-7-6 were quoted at £37-6-0. Other oil shares reached in sympathy.

The D'Arcy concession was originally granted to the Anglo-Persian Oil Company in 1901.

The Government of Persia have been collecting a royalty of 16 per cent. of the net profits of the Company. The Persian Government had asked sometime ago for a revision of methods of calculating the royalties, but the Company appeared to have turned down the proposal.

The position taken up by the Company now is that in the contract between them and the Persian Government, there is no provision for either revision or cancellation of the terms of the concessions, which, according to the Company, ought to hold good for sixty years. The Company, therefore, refuse to accept the notice served on them by the Persian Government terminating the concessions.

The situation led to diplomatic negotiations, in view of the fact that the British Government owns 7½ million pounds worth of shares out of the total ordinary capital of £13,425,000 of the Anglo-Persian Oil Company.

These developments may be clear from the British Memorandum submitted to League of Nations under Article Fifteen of the Covenant and which came before the Council at Geneva on the 19th December.

Britain had proposed submitting the dispute, which arose out of the Persian Government's action in announcing a cancellation of the Anglo-Persian Oil Company's concession, to the International Court of Arbitration at Hague, but, as the Persian Government disputed the competence of that Tribunal to deal with the case, the British Government to prevent waste of time had brought it before the League Council.

They urged upon the Council the necessity of taking appropriate steps to ensure the maintenance of the status quo and to prevent the interests of the company from being prejudiced pending the proceedings before the Council.

PERSIAN ALLEGATION OF COERCION

Following the deposit of the British Memorandum urging prompt handling of the Anglo-Persian oil dispute for a fair and amicable settlement, the League Council has received a communication from the Persian delegation speaking of "the intimidating and almost threatening attitude of the British Government towards Persia." It agrees to the matter being laid before the Council but requests a postponement until a representative can bring the documents from Teheran. It points out that the matter is not urgent as the Government does not intend taking any measures against the Company pending agreement.

LEAGUE APPEAL TO PARTIES

Mr. Lester, Acting President of the League Council, in the absence of Mr. de Valera, telegraphed the British and Persian Governments, appealing to them to refrain from any act likely to aggravate or extend the Anglo-Persian oil dispute pending the Council's examination.

The Council adjourned the question until the next regular meeting from the 6th to 23rd January.

DISARMAMENT

The British plan for disarmament as outlined by Sir John Simon at a Session of the Bureau of the Disarmament Conference is mainly on the following lines:—

(1) Germany to be permitted legal equality as regards the kind of weapons, size of armaments etc., providing that she did not rearm; (2) Immediate reduction of world's air force to the size of Britain's air force; (3) Thereafter additional reduction of 33-1/3 per cent. including Britain's air force; (4) Limitation of air craft tonnage; (5) Germany at present not to request for possession of military and naval air craft; (6) world's cruisers' size to be limited to 7,000 tons with only 6 inches guns; (7) Submarines and larger tanks be abolished.

At a meeting, on November 4, of the Disarmament Conference, M. Boncour outlined the French proposal the main points of which are:—

(1) The dissolution of bodies not constituted on a conscript basis; (2) International control and regional pacts to suppress aggression; (3) The inter-dependence of disarmament between land, sea and air forces; and (4) The retention of specialized forces in overseas territories.

SINO-JAPANESE DISPUTE

A commission of five gentlemen, representatives of Italy, France, Britain, America and Germany was appointed by the League of Nations on December 10, 1931 to report on the Sino-Japanese dispute. Lord Lytton, the British representative was elected Chairman and the Commission came to be known as Lytton Commission. The occasion for the resolution of the League was an appeal by China to the League subsequent on Japanese military operations on Mukden on September 18, 1931 The Commission travelled through China and submitted a report towards the first week of October, 1932.

The national aspirations of the Republic of China, the expansionist policy of the Japanese Empire and of the former Russian Empire, the present dissemination of communism from the U. S. S. R., the economic and strategic needs of these three countries; such matters are considered necessary factors of the Manchurian trouble by the Report of the Commission. The Commission suggests that the following general principles should be conformed: (1) Compatibility with the interests of both China and Japan, (2) consideration for the interests of U. S. S R, (3) conformity with existing multilateral treaties; (4) recognition of Japan's interests in Manchuria; (5) the establishment of new treaty relations between China and Japan; (6) effective provision for the settlement of future disputes; (7) Manchurian autonomy; (8) internal order and security against external aggression; (9) encouragement of an economic rapprochement between China and Japan and internal co-operation in Chinese reconstruction. It is further suggested that if China and Japan agree to discuss the solution of their dispute in the lines indicated above, an Advisory Conference would be summoned to work out the detailed proposals.

China agreed to accept Lytton Report as the basis of discussion subject to her right of submitting comments for consideration. But Japan, on the sitting of the League of the 21st November, rejected the Report, Matsuoka, the Japanese representative, declared that the Commission had not sufficient time at its disposal to go through all the problems, consequently, the report

was based on superficial impression and an incorrect study of the Chinese situation. Dr. Willington Koo, who was speaking for China characterised the Japanese aim to be as against the policy of unification of China and as dictated by a policy of expansion which aimed at the domination and conquest of Asia. Japan was in favour of referring the question to the Governments themselves but China opposed such direct negotiation and was in favour of referring the question to a special meeting of the Assembly. Some states, such as, the Irish Free State, Spain, Sweden and Czechslovakia tabled resolutions censuring Japan's action in Manchuria. Japan threatened withdrawal unless these resolutions were withdrawn. In fine, a committee of nineteen was appointed to consider the findings of the Lytton Report as well as the advisability of calling upon America and Russia to collaborate in the matter.

INDIAN STORE DEPARTMENT

Difficulties in respect of affording training to Indian students, are mentioned in the report on the working of the India Store Department, London, for 1931-32.

The number of contracts for stores and freight placed during the year was 8,096, as compared with 10,257 in the previous year. The total value was £1,728,715 which is £2,104,385 less than the figure for the preceding year. The average value of each contract was £213 only, a drop of £161 below the average for 1930-31. The actual expenditure on stores and freight amounted to £3,016,370, a decrease of £2, 629,398 from last year's figures. A comparison with the corresponding figures for the ten previous years is given in an appendix. It shows that, although the value of purchases in the year is 55 per cent. below that of the previous year, the decline in the number of contracts is only about 20 per cent. The falling off in value is distributed fairly uniformly among the various classes of material. Particularly heavy falls are to be noted in railway rolling stocks, metals, explosives, mechanical transport vehicles, and aeroplanes and equipment. The only substantial increase is in respect of electrical plant.

PRACTICAL TRAINING FOR INDIAN STUDENTS

Reference has been made in the previous reports to trade depression and the difficulties entailed thereby in finding openings for the practical training of students. For many reasons, it is most desirable that all engineering students whose course of studies includes practical vocation-training should obtain some part at least of that training in a mechanical workshop. Of the 120 students who sought the assistance of the department, 104 have been placed with suitable firms. Six were withdrawn and in four instances the department was unsuccessful in obtaining an opening. On the whole, it may be claimed that the efforts of the department on behalf of Indian students have met with remarkable success in the face of the difficulties outlined above.

ANGLO-IRISH TALKS

Anglo-Irish Negotiations have failed.

An official communique was issued announcing that it has been unfortunately found impossible to reach an agreement and the negotiations have come to an end.

GERMANY

Capt. Von Papen, speaking at Paderborn in Westphalia, referred to the impossibility of releasing foreign money at present invested in Germany and said that foreign countries must not expect back at present the money lent by them to Germany as floating and fluctuating loans will henceforth be funded as permanent loans. The Government at the World Economic Con-

ference would do its utmost to persuade creditor nations that the debtor could only fulfil his obligations in goods. Germany's foreign indebtedness of twenty milliard marks would no longer be an unbearable burden if foreign frontiers were free and if insuperable hindrances were no longer placed to German goods in the world market.

BRITAIN'S FINAL NOTE

The British Note to the United States, details the reasons for the view that resumption of the War debts payments will intensify the world depression and says that the War debts and Reparations are one of the major causes of it. The loan, made in the form of goods and not money, totalled as follows:

United States to the Allies, £2,055,000,000;
United Kingdom to the European Allies, £1,600,000,000 and
France to the other Allies, £460,000,000.

Payment of the Reparations and War debts was temporarily possible by the flow of investment capital from the United States to Europe, but, when the economic storm burst, lenders withdrew all recoverable funds, panic prevailed, repeated shocks undermined confidence on which the system of private investments depended, currencies were threatened with instability and collapse, and controls and restrictions merely aggravated the trouble. The world cannot even begin to consider how to restore the monetary machanism until the undermining disturbances, particularly the system of inter-Governmental debts, are dealt with. In the long run, international debts, are only payable in goods and services.

NOT TO PROFIT CREDITOR COUNTRY

The resumption of the War debts payment at present, continues the Note, is altogether inconsistent with the principles laid down by the United States Secretary for the Treasury in the report in 1925, emphasising 'inter alia' that debtors must be permitted to place their finances and currencies on a sound basis. It will not profit the creditor country to collect a few million pounds, thereby perpetuating world disorder. It is in the power of the Governments of the world, particularly the United Kingdom, to co-operate as a first essential step to avert financial and economic disaster.

SALARY OF LEAGUE OFFICIALS

At the final meeting of the League Assembly the Aga Khan deplored the failure to secure a substantial reduction in salaries which, he said, would not only necessitate the curtailment of the League's activities and the cessation of the work undertaken, but check the progressive expansion with the natural growth of the League.

CALL TO PAY UP ARREARS

An appeal to defaulting states to make an effort to pay the arrears of subscriptions is contained in the resolution adopted at the final meeting of the Assembly. Although by wrestling with the League Budget the delegates have succeeded in achieving economies totalling £12,000, the cost of their maintenance in Geneva for five extra days on which they were engaged in it has made a hole in this amount.

M. Politis, President of the Assembly, referring to the criticisms against the League, said that they were either the outcome of ignorance or political passion. The League, he added, had created a diplomatic atmosphere for negotiations. He quoted the Archbishop of Canterbury's statement that the League, despite everything, was the sole bulwark of international peace and solidarity.

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